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S^r HEN: MORGAN

One of the Most Celebrated Buccaneers

AMERICANA

December, 1910

THE LURE OF BURIED WEALTH

BY LOUIS BAURY

FIVE hundred miles from Panama, set down in a secluded part of the Southern Pacific's tepid waters, is a small emerald patch of palm-shaded land called Coco's Island. It's an insignificant little spot, as islands go, yet scarcely a year passes but what some adventurous soul equips an expedition with lavish outlay and stakes his all on a trip thither. There is nothing of a scientific nature to call him there, nor are there savages, nor unknown species of men, nor queer beasts which when shot, stuffed, and neatly docketed in a natural history museum serve to send the slayer's name down to posterity. Commerce does not there exist to send out its call to the importer or the business man, and aside from a fat and not particularly amiable German governor, and a stunted and quite undeveloped vegetation, there are scarcely any signs of life on the island at all. Its sole attraction lies in the fact that legend reports one hundred million dollars' worth of coins and jewels to be secreted somewhere in its sea scoured caves. In times when a man is willing to toss his all into the maelstrom of the stock-market for the mere hope of snatching, as, will-o-the-wisp like it flits by him, some other man's all, it does not seem remarkable that the rumor of a hundred millions has actuated scores of journeys to this little island of mystery and wealth.

Since the beginning of time man's blood has quickened in his veins, his heart beat faster, and his eye shone brighter at the prospect of getting something for nothing. It is this innate and eminently human desire, latent in us all, which has supplied the

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excuse for the existence of all manner of impostures. The average man loves to gamble, and of all forms of gambling none is so fascinating, so romantic, as the lure of the treasure hunt.

The story of the Cocos Island treasure is closely linked with some of the most thrilling chapters in the history of those delightful rascals, the buccaneers. Prior to the year 1815 it is estimated that various of the old pirates the tales of whose picturesque adventures thrilled us in our boyhoods, deposited there from time to time booty whose worth aggregates \$25,000,000. In 1821 this was augmented by a portion of the loot of Benito Bonito, which is supposed to amount to \$60,000,000. While this country was busy with the war of 1812, a Spaniard of high lineage, was cruising Caribbean waters as a licensed privateer, for the purpose of protecting galleons which were conveying gold bars from Indian mines to the courts of Spain and to the Vatican. The Spanish government has always been careful to shield the identity of this man, but in his later life he styled himself Benito Bonito, and it is under that name that he has gone down in history. He had not been many days out with his rich cargo before it occurred to him that the wealth aboard would be much more beneficial to him than to either the King or Pope, and he thereupon blandly cut the throats of such members of his crew as refused to become a party to the stealing of it, and, supported by the little band that was willing to fall in with his plans, ran up the black flag and for four years thereafter sailed the seas as a full-fledged pirate. Overhauling treasure ships, landing at cities, sacking churches, mints, and palaces, even showing the temerity to invade Mexico during the reign of Emperor Iturbide, he very shortly became the terror of all travellers by sea. Finally, after he had acquired more plunder than any other buccaneer of whom history tells, the nations of the earth united to track him down. Sore pressed, Bonito put in at Cocos Island and, burying his treasure there, hastily set sail again. Before he could make good his escape, however, he was intercepted. Rather than suffer capture he blew out his brains while the governmental agents were still clambering over his ship's side. The rest of the crew were taken prisoners and subsequently all paid the penalty of death, with the sole exception of an English renegade sailor

named "Bug" Thompson. The latter, secure in the knowledge that he was the only living soul cognizant of the whereabouts of Bonito's plunder, served in the British Navy for seventeen years without attempting to regain any of his former chief's wealth. During the Chilean War he found himself in command of the British brig, "Mary Dear," on which were stored crosses, altars, rails, and statues of silver and gold, together with much money and large quantities of jewels which had been pillaged from Cathedrals and the homes of old families. Remembering the example of his former leader, Bug Thompson promptly murdered the six Peruvian guards who had been kept on board, and made off for Cocos Island, twelve hundred miles up the coast.

He reached there in safety and, opening up the hole where the former pirates horde was concealed, added thereto his own takings, which amounted to \$15,000,000. With knowledge of the whereabouts of \$75,000,000 Thompson had visions of becoming a Monte Christo of fact. But there seems to be a psychic fatality hovering about Cocos' shores. Thompson had sailed but a little way from the island, after depositing his treasure, when a Peruvian sloop of war captured his vessel. Of those aboard only Bug Thompson himself was spared, his captors exercising clemency in the hope of wringing from him the secret of the buried treasures. Before they could do this, however, he made his escape into the jungle. Nothing was heard of him until nearly two years later when he appeared in London, possessed of plenty of money and posing as a Brazilian diamond merchant. Within a few months he spent more than a quarter of million dollars, and then decided upon a trip to Halifax, Nova Scotia, in search of old friends. On his way thither he made friends with a man named Keating, who invited him to become his guest. One night at the latter's home, while under the influence of liquor, Bug Thompson told Keating the story of the Cocos' Island treasure, and, it is believed, presented him with a map showing its exact locations. Within a week Thompson died a most mysterious death, which to this day has never been explained, and, within a few months, Keating, in company with a partner named Bogue, whom he was forced to take on, was on the ground at Cocos Island. They had no trouble in locating

the treasure and the sight which then met their eyes was one that vastly exceeding their wildest dreams, excited their cupidity to the highest pitch. They resolved to tell the crew which they had brought with them nothing of their findings, but their heightened color and excited mien betrayed them, and the tale was forced from them. The men insisted upon an equal division of the loot and that night was spent in unrestrainedly hilarious revelries of celebration. When the rejoicing was at its noisiest pitch, and all the crew, save Bogue and the crafty Keating were befuddled with wine, these two loosed a whale boat and slipped noiselessly off into the night.

Again they found the treasure ground, and loaded their small craft to its utmost capacity with the rich loot. Their only sorrow was that they were incapable of carrying away more. They agreed grudgingly upon an equal division, and made off rapidly with that understanding, for, though the larger ship would have carried ten times as much their avarice would not permit them to make the more general distribution.

The sums they took away amounted to \$150,000 apiece, but on the homeward journey Bogue lost his balance and, pitching out into the sea was never seen again. At least that was the version of the story given by Keating in his old age to two young men named Hackett. Keating lived comfortably on his romantically acquired \$300,000 for the rest of his life, but, owing to the strange deaths of both Thompson and Bogue, people would have but little to do with him and his life was lonely and unhappy. His only friends were the Hacketts, and to them he intrusted the secret of the booty shortly before his death.

Of course, the fascinating lure of the buried millions proved irresistible to them also. But the fatality clinging to that hundred square miles in the far Southern Pacific did not seem to wane. The elder Hackett set sail for the place in 1885, yet proceeded only as far as Havana, where he was stricken with yellow fever and died almost immediately. Ten years after this Fred Hackett, the younger brother, who is still alive, arranged to throw off the superstitions which all these tales had naturally awakened in him, and, forming an alliance with Keating's widow, fitted out a ship for the recovery of the remainder of the

treasure. The expedition was a failure and a series of dissensions from the outset. In his crew Hackett has six former sea captains, and these did nothing but perpetually bicker with one another over tactics and courses. When the island was finally reached no treasure was discovered in the places indicated on the old maps, and the party disbanded with each loudly denouncing all the others and blaming them for the failure.

There have been numerous similar expeditions fitted out for the recovery of this treasure, and heavily backed corporations have even been formed in the effort to recover it. The surly old German who sits in grim guard over these blood-tainted hords of Benito Bonito and "Bug" Thompson, will tell the chance traveller that one man once picked up two gold pieces of Spanish make bearing the date 1788, while one of the elaborately equipped expeditions sailed away with a battered silver crucifix as the only fruit of its labors, but aside from that, he declares, money has always been as scarce in Cocos' Island as travelling salesmen in a dry town.

Despite this fact, however, it may be that some adventurous soul has unearthed the hidden booty in the course of his prowlings, and quietly taken himself off without a word about it. This seems to be the regular procedure in such affairs. Expeditions start out with a great blare of trumpets and voicing of confidence, but when they do find anything are very apt to keep the matter to themselves. This may have been the case with the Cocos' Island treasure, but the added mystery seems rather to enhance than dim the ardor of the fortune seeker. Even now the younger Hackett is making plans to launch another expedition toward the fated little island in 1911, and similar trips are being planned by numerous other undaunted venturers.

The same holds good with regard to other buried treasures. For there are other treasures, many of them, and if they have been discovered there is no record of the fact. Indeed, in most cases even their whereabouts is shrouded in a thick veil of uncertainty. This is the case with the famous treasure of Captain Kidd. Oak Island, in Mahone Bay, off the Nova Scotia coast, is the spot thought most likely to be the repository for his plunder. Not a great while after Captain William Kidd was hanged

in London, in 1701, a part of his treasure was found at Gardiner's Island. There was so little of it, however, that no one was willing to believe it constituted his real treasure, and Oak Island exactly fits the description which Kidd himself left of the hiding place of his treasure. Ever since 1795 intermittent operations for the recovery of this traditional cache of bullion and silver have gone on. Pits have been started over the spot where the treasure is supposed to lie by innumerable seekers, but in almost all instances the washing sea has frustrated their efforts and wiped out the evidences of their work. One company of seekers, operating in 1890 by the use of drills, discovered some interesting clues to this supposed treasure. Their auger, at a considerable depth, pierced eighteen inches of spruce and then went through eight inches of oak; immediately after that it passed through a half-inch of iron which was followed by space. When the drill was taken up it was found that the auger carried a heavy piece of gold chain. Encouraged by this, another company was formed in 1909 to operate at the same place, but once again the waters annuled their efforts. Whether or not this company is still at work is not positively known, but it was equipped with diving apparatus, diamond drills, and every possible facility for overcoming the subterranean flood which covers the supposed treasure.

Against all this, though, must be set the unromantic tale of an old Bay of Fundy sailor who made one of the expeditions of 1890, he claims that if any gold chains had really been found he would be at Oak Island yet. What actually occurred, according to him, was that the party found a heavy oak chest which, upon being opened, was discovered to contain nothing but rum. This the old sailor states he and his comrades drank on the spot, departing without making any subsequent proclamation of their findings because of the excellent joke which it appeared to them to permit future parties to waste time and money exploring untenanted holes in the grounds.

There may really be truth in this old man's tale. Although it is a popular idea that a pirate never buried anything but gold, the fact is that these old time ravishers of the sea, when unable to land with safety at any port where law prevailed, frequently

hid away cargoes of varied sorts which they were attempting to smuggle ashore. It is just possible that the total of Captain Kidd's treasure may have been vastly exaggerated throughout the years, and what he buried in reality be nothing but rum.

A vast amount of wealth has been recovered since deep-sea diving has become highly perfected. Lambert, the famous diver, heading an expedition in quest of the wealth aboard the "Alphonso XII," resting under 160 feet of water, off Point Gando, Grand Canary, forced the scuttles of the ship, entering the magazines, obtained \$450,000 in ancient Spanish coin. Another notable deep-sea recovery was the salvage of about \$50,000 worth of silver bars from the wreck of the steamship "Skyro" which A. Erostarbe reached after three parties had tried for it without avail. The diver was obliged to employ dynamite in effecting an entrance to the cabin, while his task was rendered doubly difficult since the deck was collapsed to within 18 inches of the cabin floor. Another tale, even more picturesquely thrilling, is that connected with the "Hamilla Mitchell" lost on the Leuconna Rock near Shangai, with a heavy and valuable cargo, besides specie valued at \$250,000. R. Ridyard and W. Penk of Liverpool, England, both expert divers, searched for the ship after it had been pronounced hopeless by several experts. After a long search, they found the boat rent asunder amidships with the after part, which contained the treasure, washed out into water more than twenty fathoms deep. It was a labor of hours to gain access to the treasure room, but Ridyard finally accomplished it and made, in all, four successful trips, on the last of which he sent up the contents of 64 treasure boxes. At that point the advent of a squadron of piratical junks, bearing down upon the seekers, caused them to abandon operations and make a hurried flight. The total amount of treasure recovered on that occasion amounted to \$200,000. The balance was regained some time later, but not by them.

Although these recoveries are particularly notable on account of the great depths of water at which they were performed, still larger sums have been brought up from wrecks by divers. Among the most important of the latter was the salvage of bullion amounting to \$1,500,000 from the "Malabar," the recovery of

\$500,000 worth of wool from the "Darling Downs" and the recovery of cargo and specie valued at \$600,000 from the "Queen Eliazbeth." In nearly all of these cases, too, little articles of historic worth such as lamps, vases, knives, and crucifixes, were also brought to light.

It is an interesting fact that in recent years the scene of treasure hunting has shifted from the West Indies and the Pacific to the North Atlantic coast. The reason for this is altogether logical. Although the romantic novelist considers tropic islands, yellow fever, and blossoming date trees, indispensable to the site of buried treasures, the buccaneers of old were unfortunately not so well versed in the requirements of local color. At the time when Kidd and Morgan, the master of all pirates, were sailing the seas, the buccaneers had fear for neither man nor devil and with the sole idea of rendering their loot as inaccessible as possible, it is only natural to suppose that they should choose the islands of the North Atlantic coast, then practically unknown, as the safest and most likely of hiding places. The finding of the stray bits of plate and coins on Oak Island and similar places within comparatively recent times would seem to bear out this theory. Possibly, too, this treasure has been recovered without that fact's becoming common knowledge. For instance, they tell a tale at Eastport of a schooner which dropped anchor two years ago in one of the coves of Campobello Island, in Passamaquoddy Bay. It had no cargo and no apparent business to transact with either Campobello or Eastport, wherefore the customs officials, believing it to be a smuggler, kept close watch of it. One night the schooner weighed anchor and slipped quietly up the bay. The customs officials followed behind in a boat with muffled oars. Near Casco Island the ship anchored and, armed with picks, shovels, and mattocks, the men put off in boats toward shore. The customs officers, thinking that this partook not at all of the nature of immediate smuggling, went home about their business. Toward dawn the crew came back to the schooner, which promptly weighed anchor and sailed away, never to be seen in those waters again. Then the customs officials journeyed across to Casco Island to investigate matters. They found a hole in the ground large enough to admit an ordinary

sized frame house. About it was newly thrown dirt and the unmistakable evidence of some heavy object's having been removed from within. That was all. Who the men were, what they were digging for, and what they got, will never be positively known; but the inhabitants of Eastport will assure you that it was buried treasure.

There are numerous other tales of mysteriously hidden loot. Only the other day, one of these was shattered when divers explored one of the ill-fated ships of the old Spanish Armada, wrecked off Tobermony, Scotland, which had long been supposed to contain a rich cargo of money and jewels, but was actually found to hold nothing of any value other than an historical one. There is also a tale of rich treasure in the Cayman Islands, although all who set out in quest of this, return disenchanted. Still the hunt continues unabated in all quarters where there are treasures or rumors of treasures. In the Spring, Captain M. Hargruder, a sailor of many years' experience, proposes to set out from Galveston, Texas, in search of the treasure of the famous pirate Jean Lafitte, who is known to have buried his plunder in various of the inlets of the Gulf coast. Already about \$25,000 worth of the Lafitte treasure has been recovered, but it is believed that the bulk of it is yet to be found. If ever recovered, this should be worth many millions. Captain Hargruder is armed with old charts of the Gulf, which Lafitte himself once used, and which have been passed on to the present possessor by his father who was one of the old pirate's crew. Hargruder plans to take with him a geologist, a mining engineer, a civil engineer, and a large corps of laborers, and he declares that he is willing to spend the rest of his life in his quest. If Captain Hargruder's assistants hold out that long he may very likely get something for his trouble, for treasure is certainly there.

And so it goes. Unstable, often incredible, always distorted, the tales of buried treasure always and forever hold out an undeniable fascination to the adventurers. Certain it is that treasure does exist in some quarters, and that some of it has actually been recovered. Meanwhile, what did Captain Kidd do with the bulk of his loot? What became of the vast treasure of Harry Morgan? Where lie the riches of Captain England,

“Bluebeard” Tench, and the irrepressible Mansvelt? These are questions which have never been answered. It is positively known that all of these buccaneers amassed vast fortunes, and that history is unable to give a record of what became of any of them. Until these questions can be answered there will always be those who will be swayed by the lure of the mystic millions, and will heed their century old, seductive call.

MILITARY GRANTS IN THE UNITED STATES

BY J. B. OFNER

PART I

THE equivalent of an empire in area—one-seventh of the remaining public domain—was given in the United States for military service. The donors were the Nation and some States. The recipients were the soldiers in the early wars, their heirs or those to whom they assigned the right. These grants will serve as a cinematographic reel of epochs, events and conditions. In fact, the record of the disposal of the public domain, portrays the footsteps of the explorer, the pioneer, the colonist, the soldier, the railroad-builder and the settler.

Military grants are of long established usage. William, the Conqueror, divided the realm among his generals. Large estates have frequently been presented to disciples of the sword. The American colonist allotted land to the Indian fighter and the frontiersman. Land was plentiful. Money was less in evidence. The vast uninhabited territory was an excellent coffer-box to remunerate soldiery. It paid the soldier and invited his settlement on the frontier. This was desirable. On February 19, 1754, Governor Dinwiddie of Virginia stimulated participation in the French and Indian war with an offer of 200,000 acres. This was afterwards surveyed in the Ohio river valley and at least, 15,000 acres was granted to Washington for his own personal services. Upon the conclusion of hostilities, the King supplemented this donation with the proclamation of October 7, 1763, directing his Governors in North America to award to the resident reduced officers and men, land warrants varying from 5,000 acres to a field officer to 50 acres to a private. Washington's colonelcy earned him 5,000 acres more. This issue of war-

rants was satisfied with tracts in New York, Pennsylvania, West Virginia, Kentucky and other eastern States. The Revolution prevented the satisfaction of a large number. Virginia relieved some of her own soldiers by redeeming such unsatisfied warrants as has been assigned to them. In some instances, Congressional relief was invoked, but denied because the warrants constituted a British obligation.

On August 14, 1776, the Continental Congress offered 50 acres of land to persons deserting the English army. This was a retaliatory measure and designed for the Hessians and was the first national legislative expression concerning the disposition of the public lands. On August 27, 1776, a further offer was made to deserting officers ranging from 1,000 acres to a colonel, to 100 acres to a non-commissioned officer. It was determined at the outset to make the western lands a valuable military asset. The first bounty-land tender to our own soldiers was on September 16, 1776, which was followed by several resolutions, the total effect of which was that the Secretary of War was required to issue land warrants to the officers and soldiers in the Revolution allowing each major-general 1,100 acres, each brigadier-general 850 acres, each colonel and chief physician 500 acres, each lieutenant-colonel, physician, surgeon and apothecary 450 acres, each major and regimental surgeon 400 acres, each captain and surgeons' mate 300 acres, each lieutenant 200 acres, each ensign 150 acres and each soldier 100 acres.

Until the requirement of territory through State cessions, the national government possessed no land and it was understood that the States would redeem these promises. This proved unnecessary and the federal government satisfied its own warrants. However action was taken along similar lines by Virginia, New York, Pennsylvania, Maryland, North Carolina, South Carolina, Georgia and Massachusetts. No bounty-land was accorded by New Jersey, Delaware, Rhode Island, Connecticut or New Hampshire. They owned no extensive tracts like the larger States. There were other methods of infusing military enthusiasm by all the belligerents. Bounties consisting of everything from "knee-breeches" to a "negro" were offered. The confiscated lands of the tories were sold or leased for the benefit of the sol-

diers. It is not proposed to dwell on bounties of money or personal property, pensions, increased pay, confiscation, nor on realty granted for the purpose of protecting the army from loss occasioned by a depreciated currency. The exigencies of the times found expression in many variegated inducements.

Owing to the destruction of war office records in 1800 and 1814, it cannot be accurately stated how many warrants were issued under the continental resolutions. Late estimates place the figures at 16,683 warrants totalling 2,666,080 acres. This old series was satisfied mainly in four ways. First, by location in the United States Military District, Ohio; second, by surrender in payment of land purchased by the Ohio Company and Symmes; third, by exchange for scrip of equal acreage under section 6 of the act of May 30, 1830, and supplemental provisions, and fourth, by location throughout the public lands after July 27, 1842. There were undoubtedly other manners of redemption, which owing to the complicated and numerous land laws cannot be minutely detailed. The Erie Purchase was sold to Pennsylvania and these warrants are alleged to have formed part of the consideration. It will be herein perceived that a number were assigned to the surveyor-general of New York for the benefit of the people of that State and used in redeeming certain State securities. It is inferable from legislation that a few may have been located in South Carolina.

The United States Military District, Ohio, comprises in whole or part the counties of Tuscarawas, Guernsey, Noble, Muskingum, Coshocton, Holmes, Licking, Knox, Morrow, Marion, Delaware and Franklin. Up to 1802, warrants aggregating 1,060,000 acres had been located therein by the soldiers, their heirs or assignees. On July 3, 1832, provision was made for the sale of the unlocated land therein. The warrants surrendered by the Ohio Company and Symmes are claimed to have amounted to 238,694.66 acres. On November 15, 1834, it was reported that 648 of these warrants were exchanged for scrip totalling 97,750 acres, which was receivable for land in Ohio, Indiana and Illinois. How many more were so satisfied cannot be stated. Many laws were passed respecting these warrants extending their use, location and issuance. Finally the distinction between officers

and privates was discontinued and all were accorded 160 acre warrants. The number afterwards located throughout the public domain is not known.

On April 23, 1783, Congress promised land to the officers and men from Canada and Nova Scotia in the army. Eventually they were allotted a strip of land east of Columbus, Ohio, known as the Canadian Refugee Lands, lying in Franklin, Licking and Fairfield counties. The government issued 178 patents for 57,-860.72 acres in this district. New York also rewarded some of these refugees with realty. In this connection it should be noted that land was also promised to certain Canadian volunteers in the War of 1812 in the following denominations: Colonel 960 acres, major 800 acres, captain 640 acres, subaltern 480 acres, and non-commissioned officers, musicians and privates 320 acres. These proportions were reduced on March 3, 1817, so that applicants subsequently asking the benefits thereof received about one-half of said amounts. This was effective for a year and the warrants were applicable to Indiana. Patents for 72,903.14 acres in Indiana were issued by the United States. The foregoing are the last federal land bounties differentiating between officers and men in the size of their quotas. In 1850 an unsuccessful attempt was made by the surviving officers of the War of 1812 to discriminate in their favor with larger sized grants.

On March 3, 1791, Congress empowered the Governor of Indiana territory to grant 100 acres of land to each militiaman enrolled at Vincennes or Illinois territory and who performed such duty. There were granted 221 lots aggregating 22,100 acres in Knox county, Indiana.

Enlistment in the War of 1812 was encouraged by offers of 160 acres of land, and on May 6, 1812, two million acres each was appropriated in Illinois, north of the Illinois river, in Michigan, and in Louisiana between the Arkansas and St. Francis rivers being in the present bounds of Arkansas. In 1816 the land in Michigan was released, and one and one-half million acres in said Illinois district and one-half million acres in Missouri, north of the Missouri river substituted in lieu thereof. Some soldiers received double bounties, or 320 acres. Warrants for 4,845,920 acres issued hereunder, which were satisfied in said

districts by lottery. The warrants were non-transferable and were not delivered to the soldiers. They were retained by the government which ascertained each soldier's tract by a drawing and issued patents to the beneficiaries. This arrangement was unsatisfactory as the soldiers could exercise no option in the selection of the character of the land or the locality thereof, and frequently secured undesirable tracts or in communities where they did not wish to settle. Subsequently the parties could exchange uncultivable tracts for fertile land in the same State. The Missouri reserve is in Carroll, Livingston, Linn, Chariton, Macon and Randolph counties. After July 27, 1842, they were made locatable throughout the public lands with technical restrictions. Warrants located thereafter were not restricted to military districts.

On February 11, 1847, land bounties were ordered granted to the Mexican war participants, which could be applied on certain classes of land in the western territory. On September 28, 1850, provision was made for the regulars in the war of 1812, Mexican war and Indian wars. On March 3, 1855, legislation was enacted providing generally for warrants for 160 acres for certain prescribed active military or naval service prior to that date. No land was given for subsequent service which was otherwise rewarded. The participants in the Civil and Spanish wars and Phillipine insurrection were given additional rights under the homestead land law whereby they were allowed to have the period of military service not over four years deducted from the five years residence. Soldiers making homestead entries before 1874 for less than 160 acres could make additional entries so as to make in all 160 acres.

The foregoing is a brief outline of federal action on this subject. The western States did not own the public land and of course gave no bounty-land. The eastern States owning extensive territory gave land for service in the Revolution but not in subsequent wars, except Georgia in the war of 1812. This should be borne in mind because the records of the disposition of land in the non-public land States are in the custody of the respective State officials and not with federal authorities. This applies also to Texas.

The bounty-land system of New York is inseparably associated with the promises made by the Continental Congress. The Empire State not only quintupled the grants made by the national government but also satisfied such bounties with land in her own limits and arranged so that a soldier could receive his bounty-land, both State and national, in contiguous tracts in his home State. This probably served to discourage emigration among a class of citizens much needed on the New York frontier. There was allowed to each major-general 5,500 acres, each brigadier-general 4,250 acres, each colonel 2,500 acres, each lieutenant-colonel 2,250 acres, each major and chaplain 2,000 acres, each captain and regimental surgeon 1,500 acres, each subaltern and surgeon's mate 1,000 acres and each non-commissioned officer and soldier 500 acres. There should be added hereto twenty per cent. additional by reason of federal bounty. In some instances the parties received their national bounty in Ohio and the New York bounty in said State. In most instances all was satisfied with New York land. The beneficiaries consisted of her own troops, an exception being made with Baron Steuben. The land was assigned by drawing and lies in 28 townships given the following classical names in numerical order: Lysander, Hannibal, Cato, Brutus, Camillus, Cicero, Manlius, Aurelius, Marcellus, Pompey, Romulus, Scipio, Sempronius, Tully, Fabius, Ovid, Milton, Locke, Homer, Solon, Hector, Ulysses, Dryden, Virgil, Cincinnatus, Junius, Galen and Sterling. Each township was divided into 100 lots of 600 acres each, six of which were reserved for the benefit of religion, literature and education and also in allotting fractional portions. New York soldiers holding United States Revolutionary bounty-land warrants could assign them to the people of that State and as herein stated, secure the land in their own vicinity. The land commissioners were authorized to use these same warrants in redeeming certain public securities issued by New York. Thus the State became subrogated to the soldier's right to federal bounty-land and made commercial use thereof and the same were ultimately satisfied by the United States, which issued patents to remote transferees for land in Ohio. The amount of land granted by New York to her soldiers of the Revolution

might be estimated at about 1,500,000 acres. It will be found that the warrants which were assigned through the people of New York, were made to the surveyor-general of that State as trustee. This policy of compensating soldiers was not applied to the war of 1812.

On March 12, 1783, Pennsylvania provided for military grants in the northwestern part of the State, being north of the "Depreciation Lands" or north of an easterly and westerly line passing through the point where Mahoning creek empties into the Alleghany river, and west of said river. General William Irvine explored these lands on behalf of the soldiers and in 1786 there were surveyed in this territory, ten donation districts numbered consecutively from south to north, which lie in Venango, Butler, Warren, Lawrence, Mercer, Crawford and Erie counties. The grants were restricted to Pennsylvania officers and men, a notable exception also being made with Baron Steuben and possibly a few others. These grants were independent of the federal bounties, which they were not to affect or invalidate.

The allowances were: Major-generals 2,000 acres, brigadier-generals 1,500 acres, colonels 1,000 acres, lieutenant-colonels 750 acres; surgeons, chaplains and majors 600 acres, captains 500 acres, lieutenants 400 acres, ensigns and regimental surgeon's mates 300 acres, sergeants, sergeant-majors and quartermasters 250 acres, private and minor non-commissioned officers 200 acres. On May 3, 1785, it was reported that there would be required 2,570 lots aggregating 585,200 acres. The tracts were all surveyed into 200 lots of 500 acres each, 100 lots of 300 acres each, 210 lots of 250 acres each and 2,170 lots of 200 acres each, making a total of 2,680 lots for 616,500 acres. Four lottery wheels, each containing the 500, 300, 250 and 200 acre tickets respectively, which were each marked to describe the land by lot number and donation district, were used. The beneficiaries drew their tickets, forming combinations to fit their allotment. Accordingly the land was necessarily not always in one tract, but one grantee might have his land scattered through several counties.

On the final adjustment of the New York boundary, 120 lots in District No. 10 fell into that State, but relief was accorded

and reselections permitted in Pennsylvania. In the settlement of all these grants, considerable legislative and judicial recourse was had and the matter was not finally closed until March 31, 1845, when all the vacant tracts therein were restored to their original classification as unappropriated public lands of Pennsylvania. A large number of tickets were never drawn and it might be considered that 600,000 acres is an impartial estimate of the amount of land granted by Pennsylvania to her "Boys of '76." No land was granted for participation in the War of 1812.

In 1777 Maryland offered 50 acres to recruits and originated a departure by tendering recruiting officers 100 acres for 20 men delivered before January 20, 1778, and 50 acres for each 20 men secured prior to March 31, 1778. Three years enlistment was required. In Nov., 1781, land in then Washington county was appropriated for the satisfaction of these bounties. Francis Deakin surveyed the tracts into 4,165 lots of 50 acres each. It is deducible from legislation that there were granted 2,475 lots to soldiers, 100 lots to recruiting officers and the remainder to officers, who obtained four lots each. It might therefore be computed that Maryland contributed 208,250 acres to her soldiers of the Revolution, which lie in the present bounds of Alleghany and Garrett counties. No promises were made by Maryland for services in the War of 1812.

In May, 1782, North Carolina authorized the issuance of land warrants to her Continental troops giving privates 640 acres, non-commissioned officers 1,000 acres, subalterns and surgeons' mates 2,560 acres, captains 3,840 acres, majors and surgeons 4,800 acres, lieutenant-colonels 5,760 acres, colonels and chaplains 7,200 acres, brigadier-generals 12,000 acres and Major-General Greene 25,000 acres. In 1783 provision was made for a reserve in the present limits of Tennessee between the Cumberland and Tennessee rivers, the Virginia line on the north and on the south by a parallel line 50 miles distant. Grants were also made in other parts of the State. Colonel Martin Armstrong superintended the surveys and maintained an office at Nashville. The Tennessee constitution recognized the validity of these grants. The grants are not all in one contiguous tract, and will be found

described by natural boundaries. North Carolina was more munificent to a private soldier than any other State or the Union, allowing him 640 acres. Respecting officers, the honors must be divided with Virginia. It is thought that the largest military grant in the United States for Revolutionary service performed by one person, was the one given to Greene by North Carolina. It is described as being on Duck river and its legality being challenged, was upheld by Chief Justice Marshall in *Rutherford vs. Greene's heirs* (4 United States 73).

(To be Continued.)

RAPHAEL SEMMES

THE MAN WHO DISPUTED THE OCEAN CARRYING TRADE OF THE UNITED STATES

BY ELIZABETH CATHERINE BOTT

Louisiana State University

IF the damage done by Raphael Semmes to the commerce of the United States could be estimated by the value of the ships he burned and the cargoes he destroyed, ten millions of dollars might cover the amount. But that was only a part, a very small part, of the total cost, a cost that grows greater and greater each year, for the damage Semmes did lived after him. He, more than any other one man, paralyzed the ocean-carrying trade of the nation.

Before the Civil War the Stars and Stripes were known on every sea and in every harbor. Next to Great Britain, the United States had the largest share of the commerce of the world and it seemed only a question of time, and not a long time, either, when this country would rank first. To-day America, the greatest nation in the world, commands no sea traffic except that between its own ports, and it commands that only because the ships of other countries are excluded from sharing in the coastwise business. Other agencies have contributed to the long-continued paralysis, but the first great blow, the one that brought the stagnation that led to ruin, was struck by Semmes.

After the Mexican War, Lieutenant-Commander Semmes did constant sea and land duty until 1855. Then, in 1860, he was promoted to the rank of commander and made secretary of the Naval Lighthouse Board at Washington, the position he held at the outbreak of the Civil War. The public mind, North and South, was in a restless mood, and as the day of compromises

was evidently at an end, he had decided to retire from the Federal service at the proper moment, and was only waiting for that moment to arrive. His intention of taking service with the South had been made known to the Alabama delegation in the Federal congress early in the session of 1860-1861. He did not doubt that Maryland, his native State, would follow the lead of her more Southern sisters, but, whether she did or not, would make no difference to him, since his allegiance, and service, had been pledged to another State, Alabama. The month of February, 1861, found him still in the city of Washington, but the following extract from a letter written by him to a Southern member of the Federal Congress, temporarily absent from his post, will show the manner in which he was regarding passing events:

"I am still at my post at the Lighthouse Board, performing my routine duties, but listening with an aching ear and beating heart for the first sounds of the great disruption which is at hand."

On the 14th of that month, while he was sitting quietly with his family after the labors of the day, a messenger brought him the following telegram:

MONTGOMERY, Feb. 14, 1866.

SIR: On behalf of the committee on naval affairs, I beg leave to request that you will repair to this place, at your earliest convenience.

Your obedient servant,

C. M. CONRAD, Chairman.

Commander Raphael Semmes,

Washington, D. C.

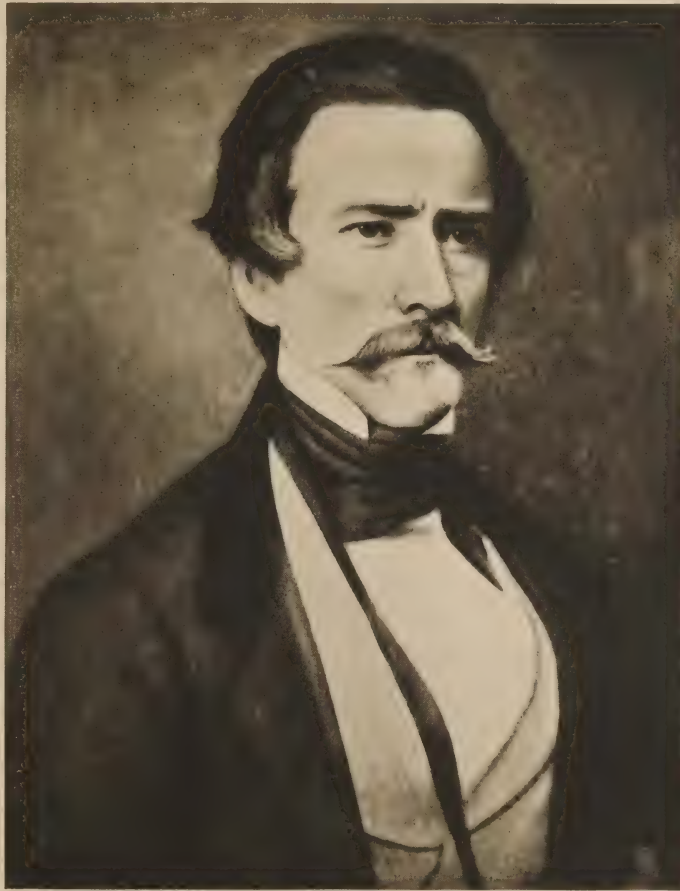
Here was the command for which he had been so anxiously listening. The telegram reached him about 4 o'clock in the afternoon, and he responded to it on the same evening.

Two days later, the day after he had resigned his commission, he left for Montgomery, by way of Fredericksburg and Richmond. After an interview with Mr. Davis he was sent North to purchase military supplies. In New York, Connecticut, and Massachusetts he secured large quantities of powder, cannon,

and other munitions of war for the Confederacy. Manufacturers were not only willing but anxious to deal with him. No qualms of patriotism troubled them when it came to trading, for they had full knowledge of his mission. They received him as a guest in their homes and arranged secret ciphers by which he could communicate with them by telegraph. In addition to the large amount of war supplies that he purchased outright he contracted for machinery for rifling cannon, and the contractors agreed to send to the South the skilled workmen necessary to put the machines into operation. The manufacturers, eager for the big profits, rushed work on the orders that the material might be delivered before the outbreak of the war. Semmes was commissioned also to purchase in New York, or elsewhere, sea-going steamers designed for the defense of the Confederate seaboard. The only reason that he did not buy several was that he could not find vessels that came up to the requirements. Ship owners were willing to sell to him, just as were the makers of war supplies.

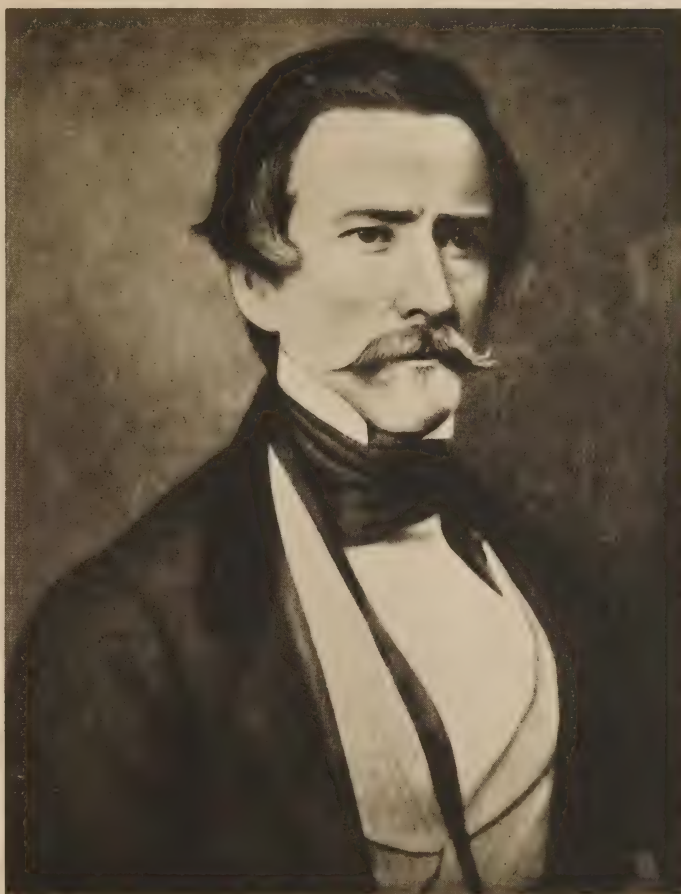
Semmes was not the only naval officer of rank to resign from the United States service and enter the Confederacy, and when the war began the Confederate chieftains were embarrassed by having many naval officers ready for commissions, but no vessels for them to command. Not one vessel of the United States Navy was taken over to the Confederacy, and the war opened with the North able to blockade all the ports of the South and still leave enough war vessels to patrol the sea. The merchants of the North were in little danger of interference with their vessels and the great fleets of clipper ships, whalers, and general cargo carriers went on their way as if war had not been declared.

The war cloud was now assuming darker and more portentous hues, and it soon became evident that Semmes' usefulness in the North was about to end. Manufacturers were becoming more shy of making engagements with him, and the Federal Government was beginning to be more watchful. The New York and Savannah steamers were still running, carrying, curiously enough, the Federal flag at the peak, and the Confederate flag at the fore; and in the latter days of March, Semmes em-



ADMIRAL RAPHAEL SEMMES, C. S. N.

From a portrait presented in 1910 to Louisiana State University
by Camp Beauregard, U. S. C. V., New Orleans



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barked on board one of them, arriving in Montgomery on the 4th of April, just eight days before the first shot was fired upon Fort Sumter.

Semmes was the first man to command a Confederate ship of war. Thoroughly familiar with the disparity of the naval resources of the warring sections, he urged upon Secretary Mallory the most active war upon the enemy's commerce, both by regular cruisers and volunteer privateers. Just after the surrender of Sumter, he received orders to fit out a vessel for that service. He proceeded to New Orleans and bought the 500-ton steamer *Habana*, of the New Orleans-Cuba Line. The name was changed to the *Sumter* and a small battery was rigged up aboard her. It took Semmes several months to get the *Sumter* equipped, and then he had great difficulty in running the blockade at the mouth of the Mississippi. But, once free of the blockading squadron, he became a terror of the sea, and blazed his trail with fire. His instructions from Secretary Mallory were "to do the enemy's commerce the greatest injury in the shortest time." On June 30, 1861, he started for the West Indies, and on July 3, captured and burned the bark *Golden Rocket* off the Isle of Pines. Within the next few days he captured seven more merchant vessels of the United States. Some he burned, and, on some of them, he put prize crews. His greatest difficulty was to obtain coal. The *Sumter* carried only enough fuel to supply her for ten days. She was a slow vessel, and, when she had to depend on sails, was unable to lift the propeller, which materially impeded the speed of the craft. Semmes did not dare to remain in any one port for long, for he knew that if a United States warship should catch him the *Sumter* would be sunk. Wherever he went he was sure to meet trouble with the authorities of foreign ports. Realizing that he was classed by the Federal government as a pirate he endeavored to obtain recognition of the *Sumter* as a ship of war of the Confederacy, but though he carried a commission from the President of the Confederate States, foreign governments were loath to harbor his craft.

The *Sumter* was therefore a sort of Ishmaelite of the sea. The damage he had done since leaving New Orleans was fast driving the enemy's commerce from the ocean, or forcing the

transfer of American bottoms to neutrals. Putting into Ciempuegos, he secured 100 tons of coal, and then sailed to Curacoa, where he had more trouble increasing his supply. From Curacoa he ranged along the north coast of South America, capturing two New England vessels, and going as far south as Moranham, Brazil. From there he proceeded to Martinique. While he was coaling at St. Pierre the United States steamship *Iroquois* arrived and blockaded him, but he slipped out of the harbor at night and started across the Atlantic toward Spain. On the way he captured three more prizes. At Cadiz he had to lay up for repairs, and before these were completed he was ordered to leave the port. He started for Gibraltar, burned two American vessels that he captured en route, and while in Gibraltar he was blockaded by the *Kearsarge*, the *Tuscarora*, and the *Ino*. With no chance of escape he laid the *Sumter* up, paid off the crew, and proceeded to London to consult with the agents of the Confederacy in that city.

The *Sumter* had been at sea less than seven months and had during that time captured the *Golden Rocket*, *Cuba*, *Machias*, *Ben Dunning*, *Albert Adams*, *Naiad*, *Louisa Kilham*, *West Wind*, *Abby Bradford*, *Joseph Maxwell*, *Joseph Parke*, *D. Trowbridge*, *Montmorency*, *Arcade*, *Vigilant*, *Eben Lodge*, *Neapolitan*, and *Investigator*. Most of these vessels Semmes burned, and the alarm he spread was so great that hundreds if not thousands, of merchant-vessels were laid up, or transferred to foreign owners. A fleet of warships searched the seas for the *Sumter*, but failed to capture her.

When Semmes arrived in England the Messrs. Laird, of Birkenhead, were building for the Confederate government a vessel designed especially for commerce destroying. The utmost efforts were made by the representatives of the United States to get the British government to prevent this ship from being turned over to the Confederates, but their arguments were of no avail. The name came from the fact that the vessel was the two hundred and ninetieth built by the firm.

It was intended that Captain Bullock, the Confederate naval agent in Europe, should command the new vessel, which was named "290," and Semmes, after conferring with him, sailed

on a passenger steamer for Nassau. There he received orders to return to England and assume command of the *290*, his success with the *Sumter* leading the Confederate leaders to believe he could do more execution with the vessel than any other man.

It was by a ruse that the *290* got to sea. It was pretended that she was going on a trial trip, and a lot of women were invited aboard. When the *290* was well off land the women were put on a tug and sent back. The *290* proceeded to the Azores, where a supply ship was awaiting her with armament and stores. There Semmes unfurled the Confederate flag on her, christened the boat the *Alabama*, and put her in commission. The officers were Southerners, but the crew was made up almost entirely of sailors picked up in the streets of Liverpool. Never did the *Alabama* have more than half a dozen Americans aboard her, exclusive of the officers.

The exploits of the *Alabama* were so numerous and startling—so resultful in destruction of the enemy's property, warlike and domestic—as to make a unique chapter in the history of naval warfare. Bold to the verge of recklessness, elusive as a haunting war-wraith, and too swift and well handled for capture, the *Alabama* was here to-day, there to-morrow, and nowhere the day after, her trail marked only by dismantled or smoking wrecks, while her deeds filling the news columns with head lines. She became truly the "Flying Dutchman" of real war, with the reversal that, while she was seldom seen, she was always felt. She held the terrors on the sea that the "Black Horse" (of which there was never but one single troop) did on land; and the cry from a peaceful top, "The Alabama!" made the same panic that "We are flanked!" often did in mid charge of the Rebs.

The *Alabama's* actual destructiveness to the commerce of the enemy was, therefore, out of all proportion to her force, the actual number of her captures, or their money-value. Fifty-seven vessels of all sorts were burned, the value as estimated by the Geneva Award being but \$6,750,000. A large number were, however, released on ransom-bond, having neutral cargos on board, and hundreds of neutrals were brought to and examined. In the meantime the *Alabama* sailed seventy-five thousand miles, or thrice the distance round the globe. Beginning her work in the

North Atlantic, she shifted rapidly from place to place as the terror of her presence did its work—to the West Indies, the Gulf of Mexico, back again to the West Indies, Brazil, Cape of Good Hope, China Seas, Strait of Malacca, Ceylon, Arabian Gulf, Strait of Madagascar, Cape Town, St. Helena, the English Channel—this was her itinerary. For two years she preyed upon her enemy, and set pursuers at defiance, accomplishing to the letter the mission upon which she was sent.

The blow that was fatal to the *Alabama* was struck by the *Kearsarge*. She went down by the stern. A few minutes before she sank Semmes hurled his sword into the sea and jumped in himself. He was picked up by the people on the *Deerhound*, an English vessel. Of the officers and crew of the *Alabama*, nineteen were killed in action or drowned and twenty-one were wounded. In addition to Captain Semmes, the *Deerhound* picked up forty-one men. The rest were picked up by the *Kearsarge* and a French pilot boat. The battle between the *Alabama* and the *Kearsarge* was a gallant fight between nearly equal ships at close quarters. It left the loser with "all lost, save honor."

European partisans of the South could paint the career of the *Alabama* in the most glowing colors. Captain Semmes was the "gallant," "noble," "chivalrous," "heroic" commander, and officers and crew shared in the honors heaped upon him. But there were not wanting, either in Great Britain or in France, those who were disposed to echo the cry of "pirate!" which went up from the press of New York and Boston. The claim was made that the *Alabama* waged warfare exclusively upon defenceless merchantmen, and therefore was not entitled to be considered as a vessel of war. Her defenders could only point to a solitary thirteen-minute fight with the *Hatteras*. A Scotch paper called attention to the fact that although Captain Semmes had "destroyed property to the value of between £3,000,000 and £4,000,000, he had never once attacked or come in the way of a vessel of his own calibre, except under false colors, and with a lie in the mouth of his officials. There is no doubt that the Confederate captain chafed under criticisms of this character. On the other hand American shipping had been all but driven from the ocean, and if the *Alabama* was to refrain from battles

with armed vessels her usefulness, except as a mere patrol, was at an end.

Notwithstanding the loss of his ship, Captain Semmes was treated in England as a conquering hero. He was petted and feted by the London clubs, and the Junior United Service Club presented him with a magnificent sword, artistically engraved with naval and Confederate symbols, to take the place of the sword which he had cast into the sea. Reports flew broadcast that he would very soon be in command of a larger and more powerful "Alabama." English youths and school boys wrote to him by the score, imploring permission to serve under him in his new ship.

But the Confederate Government took a different view of the matter. Moreover, Captain Semmes' health had been impaired by his three years of arduous service. Although at this time the Confederates had strong hopes of getting to sea one or more iron clads, Semmes was not named for the command and received instructions to return to the Southern States. Not caring to take the chances of running the blockade, which had by this time become well nigh impenetrable, Captain Semmes took passage for Havana and thence to the mouth of the Rio Grande, from which point he made his way overland through Texas and Louisiana, and arrived in Richmond in January, 1865. Here, in consideration of his services to the Confederate cause, he was raised to the rank of rear admiral and ordered to take command of the James river fleet.

When General Lee evacuated Richmond, Admiral Semmes set fire to his fleet, seized a railroad train, and transferred his command to Danville. His forces became a part of the army of General Joseph E. Johnson and were surrendered to General Sherman.

After disbanding his men, Admiral Semmes went to his Mobile home and opened an office for the practice of law. There, on December 15th, 1865, he was arrested by a squad of United States Marines in pursuance of an order of Secretary Welles, and was imprisoned, first in the navy yard and then in the marine corps barracks at Washington. His seizure was in obedience to the Northern cry for the visitation of the death punishment

upon "the pirate," and the pretext was, as stated by Mr. Speed, attorney general of the United States, his liability to trial as a traitor, which he had evaded by his escape after the destruction of the *Alabama*. Finally Semmes, who was true to his State, was pardoned by a proclamation of Andrew Johnson.

In May, 1866, Semmes was elected judge of the Probate Court of Mobile County, Alabama, but an order from President Johnson forbade him to exercise the functions of the office. He then became the editor of a daily newspaper in Mobile, which he gave up to accept the chair of *Moral Philosophy* in the Louisiana State Seminary at Alexandria, an institution organized in 1860 by W. T. Sherman. This position he resigned after a short term because the disparity of his age in relation to the other members of the faculty was so great. One year after his resignation he read in the papers of the death of Colonel D. F. Boyd, president of the Seminary. Semmes applied for the presidency of the school, giving his reasons for resigning. But the account of Colonel Boyd's death proved to be a false report. One of the professors by the name of J. M. Boyd, Professor of Natural Philosophy, had died and the papers had confused the names.

For a short time subsequently Semmes was engaged in journalism, but returned to Mobile and the practice of law, in which he was occupied until his death. He died at Montrose, at his "over-the-bay" residence, on August 30, 1877, at the age of sixty-eight, mourned and admired by his people. His statue now greets passersby on Mobile's busiest thoroughfare, standing near the sea he so long loved and dominated.

THE SCOT IN NEW ENGLAND AND THE MARITIME PROVINCES

PART VII

VIEWING the work of Sir William Alexander, and the founding of Nova Scotia as the first, the second associated effort among Scotsmen in the New World worthy of record, and the first in the territory now comprising the New England States, and indeed the United States, was the founding of the Scots' Charitable Society in the town of Boston, Massachusetts, in the year 1657.

The story of its founding has a dramatic interest if we go beneath the glamor of the picturesque which the years have given to it. We will find that tragedy was the moving influence in its organization.

It is a story that has all the strong, deep human emotions, aroused by the terrible ravages of war, yet the roar of Dunbar never broke the peacefulness of the little town on the shores of Massachusetts Bay.

On the 3d of September 1650 and 1651, respectively, occurred the battles of Dunbar and Worcester, an outstanding epoch in Scottish history, the culmination of a long, bitter, religious and political controversy. Arrayed against each other on these fields were Oliver Cromwell and General David Leslie at the head of the Scottish Covenanters whose battle cry was "The Covenant!"

The fight had been fought and the cause lost, and here came the remnants of the defeated army, many of them transported as prisoners of war. They came, but with what sacrifice, what suffering, and with what heart yearnings! Monuments of stone and anniversary celebrations fail to tell. One must go into a by-path of history to search for their story.

The immediate cause for organizing the Society was the relief of those Scottish Covenanters who had suffered in the cause of the King at the battles of Dunbar and Worcester, many of

whom had been taken prisoners, and were sent by Cromwell as indentured servants to New England. They were the first Scots to come to New England in any large numbers, and although their labor was sold among a hard and unfeeling people, the very severity of their situation appealed to some of their fellow countrymen already settled in Boston, the outgrowth of which was the formation of a relief committee, to aid their needy fellow countrymen in their dire distress.

This committee for several years conducted its work with unselfish devotion among the poverty-stricken prisoners of war whom misfortune had cast upon their shores. Doubtless the members of this committee early became impressed with the need for founding a permanent society, for the record tells us that in January, 1657, a permanent organization was established.

The record of the first meeting of the society when twenty-seven Scots of the colony signed their names to the document, is interesting. The record follows:

“At a meating of the 6 of January 1657 we whose names are underwritten being all or the most part present did agree and conclude for the relefe of ourselves and any other for the which wee may see cause (to make a box) and every one of us to give as God shall move our hearts whose blessing and direction wee doe from our hearts desyre to have from Him (Who is able to doe abundantly above all that wee are able to ask or think) both in the beginning and managing of that which we doe intend and therefore that we may express our intentions and become our owne Interpreters leaving those that shall come after us to doe better than wee have begun hoping that by the assistance of the great God who can bring small beginnings to greater perfection than wee for the present can think of or expect and lykewise we hope that God hath the hearts of all men in His hands and can turne them which way soever he pleaseth will double our spirit upon them and make them more zealous for his glory and the mutuall good one of another, and therefore knowing our own weakness to express our selves in this particular we leave ourselves and it both to God and to the word of His grace and doe desyre to declare our Intentions about which we have agreed.

That is to say that wee whose names are Inserted in this booke doe and will by Gods assistance give as God will move us and as our ability will bear at our first entering but it is agreed that none give less at their entering than twelve pence and then quarterly to pay six pence and that this our benevolence is for the releefe of ourselves being Scottish men or for any of the Scottish nation whome wee may see cause to help (not excluding the prudentiall care of the respective prudentiall townsmen whose God shall cast any of us or them, but rather as an addition thereunto) and it is agreed that there shall nothing be taken out of the box for the first sevin years for the releefe of any (the box being as yet in its minority) and further it is agreed that there shall be one Chosen one of good report fearing God hating covetousness, quarterly to receive the dutyes of the said box and lykewise what Legacies made be left unto it and that the first box Maister shall give up all the revenue belonging unto the said box unto the next that is chosen and so continue quarterly until the Company may see any Inconvenience in it or cause to alter it and it is agreed that our children shall have the same liberty with ourselves they entering (when they are growne up) orderly and it further agreed that those who doth willingly neglect to pay their dutyes and have entered for the space of a twelve month together shall have no benefite here after by the said box.

Robert Porteous,
George Thomson,
Thomas Dewar,
John Kneeland,
James Webster,
Andrew Jameson,
William Speed,
Thomas Shearer,
John Bennett,
William Cosser,
James Moore,
John Clark,
Thomas Palson,
William Gibson,

William Ballantyne,
James Ingles,
George Trumbull,
James Adams,
Malcome Mackcallome,
Alexander Simson,
James Grant,
Peter Grant,
William Anderson,
Alexander Grant,
John Macdonald,
Alexander Bogle,
John Mason."

Four years thereafter the record of the box master, Wm. Cosser, showed that there was the "full and just sum of seven pounds, eleven shillings and ten pence sterling in Ready money." To-day the Endowment fund of the Society approximates \$70,000, from which it derives a portion of the income devoted to the charitable work.

As it is a people that produces a civilization, and not a civilization a people, so the story of the Scots Charitable Society may in large measure be told by a glance at the men of its membership. It has been a representative body, numbering in its membership citizens of all the New England States and of other states.

To write of the achievements and influence of the individual members of this Society, would be in large measure to repeat the story of the Commercial, Industrial and Political development of Boston and Massachusetts. In the Honor Roll of the Society during its two and one-half centuries of active benevolence are many names familiar and honored in City and Commonwealth. It would be impossible within the scope of a magazine page to enumerate them all, and give a just estimate of their relation to the life of their respective generations, hence we will have to content ourselves with only a few conspicuous examples.

A roll of more honorable names, of men who have given unselfish service in their day and generation to help civilization onward, it would be difficult to find. It has embraced Merchant Princes, Industrial Leaders and men eminent in the service of City, State and Nation. The great professions of Law, Medicine, the Church and Education have had many notable leaders, who were never too deeply absorbed with professional duties, but, a little time could be found to respond to the demands of their membership in the Society.

The Society has never sought to attain great numerical proportion, but has rather been a representative body, members of the leading Scottish Families in New England considering it a great honor to have one of their number enrolled. In fact, for many years the membership was limited to one hundred. While the Society is an organized charity, it has been largely

a clearing house through which great-hearted Scotsmen could individually aid and succor their less fortunate fellow countrymen. Through long years many individual members have given in a private way annually many times the yearly expenditures of the organization.

A HOME FOR NEW ARRIVALS

For many years the Society maintained a Home for housing new arrivals to the country. The building was located on Camden Street, Boston, and during the period of its activity was one of the prominent features of the Society's work. Early in the nineties, however, the thrift of the immigrants from Scotland became so pronounced that the need for a permanent home became obsolete, and it was abandoned.

A FORMIDABLE LIST

The names of all the great Scottish families represented in New England have from time to time appeared in the record of membership, such as Grant, MacDonald, McDougal, Kennedy, Ballantine, Webster, Livingstone, Guild, McClintock, Ramsey, Campbell, Brice, Matchwell, Stuart, Ferguson, Cochrane, Melvin, Logan, Innes, Kay, Borland, McGregor, Murray, Graham, McKenzie, Peter McKenzie, son of the Earl of Cromarty, Abocrambie, Archibald, Gordon, Cunningham, Arbuckle, Morrison, Erskine, Calder, Gibbs, Cathcart, Dalrymple, Moffat, Armstrong, Bethune, Barelay, Munn, Sinclair, Alexander, Anderson, Jeffrey, Andrew, Dundas, Forbes, Lindsay, Muirhead, Scott, Watson, Stevenson, Drummond, Henderson, Nisbet, Buchanan, Hamilton, Carlyle, Gray, Fullerton, Loudon, Ingram, Stewart, Duncan, Kinloch, Gilchrist, Crawford, Montgomery, Donaldson, Cameron, Chisholm, McIntyre, Murdoch, Dunn, Fraser, Kilpatrick, McCulloch, Rankin, McFarland, Pollock, Dunbar, Mounierief, Jaffray, Martin, Kerr, Russell, Cairns, Marshall, Johnston, Balfour, Hay, Sterling, McKay.

We learn from the Records that in May, 1770, the financial condition of the Society was "of a considerable value and in

a flourishing state," and that it was voted and agreed that for the better management thereof, the following rules and orders be observed: "Some Gentlemen, Merchants and others of the Scots' nation residing in Boston, New England, from a compassionate concern and affection of their indigent Countrymen in these parts, voluntarily formed themselves into a charitable society, and Anno Domini 1657 * * * * *

and that this Society has ever since, without interruption, been continued and promoted, to the Compassionate and Seasonable Relief of many, notwithstanding the late more intimate Union of North and South Britain, continuing to follow the laudable Example of the London Society, we conceive it not inconsistent or improper to continue this our Private Charity, to our quondam Townsmen and Neighbors, without any desire or expectation of being excused from contributing towards the public provision for the Town poor in general. The stock being at present of a very Considerable Value and in a flourishing State, it is voted and agreed by the Society, this 8th day of May, 1770, that for the better management thereof, the following rules and orders being observed:

1. This charity is appropriated towards the Relief of the Poor Aged or Infirm, helpless Widows & Orphans, indigent Sick, the distress'd Shipwreck'd, & to pay the Charges of those who are desirous, but not able to Transport themselves to their native Country. This is to be understood with a more particular Regard to Contributors, who by Misfortunes may become Objects of Charity.

2. Vagrants, idle, & dissolute Persons, of notorious evil fame, are excepted or excluded as unworthy of this Charity. Persons from other Colonies or Countries who are reduced in those other Countries, having suffered no Misfortune in their Passage hither, are not to be deemed objects of this Charity. All Scot's men or of Scot's Extraction in Boston being capable & regularly invited to join in this Charitable Undertaking; as also all Members discontinuing their Contributions four Quarters successively, being regularly warned to attend & pay their Arrears: who shall obstinately refuse to comply shall forever be excluded from any claim in this charity.

3. All Motions for Relief or Charity shall be by Petition in writing the Allegation thereof to be in the Knowledge of two or more of the Members; & to be given to the Managers three days before the quarterly meeting, for any Sum exceeding Ten pounds New England lawful Money, for relief in Shipwreck, Sickness, & passage home, A Bond or Note shall be taken payable when Able. The Managers upon Emergencies in the Intervals of the Quarterly Meetings may give Charities not exceeding forty shillings to one Person and the Treasurer for a present Relief may give not exceeding Ten shillings to one Person, before any person he admitted to the Charity of a quarterly meeting the managers at their monthly Meetings, & the majority of the voters at the quarterly meeting shall be fully satisfied that he or she is a real object of Charity and otherwise entitled.

4. The principal stock of the Society shall not be diminished—that is the Money now in stock, & what shall in Time coming be given at the quarterly meetings, or upon any other occasions, either by constant members, or casual benefactors, shall be punctually put to interest, & the interest arising from that money only shall be distributed to the proper objects of Charity.

5. To prevent disturbance in the Admission of new members Residenters: he or they desiring to be admitted shall first apply to the Managers at their monthly meeting & obtain their consent which consent shall be notified to the Society at their quarterly meeting to be approved or rejected by a majority of the Voters. Every Member at his admission shall pay ten shillings at least. Persons who shall be deem'd by the Managers as objects of charity shall be excused from contributing without losing their Title to this charity.

6. The gifts and benefactions of Gentlemen of any other country shall be thankfully received & acknowledged. Some persons of other country shall be thankfully received & acknowledged. Some persons of other nations having generously contributed to the Scot's charity in London.

7. The Managers of this Charity shall be a President a Vice President, a Treasurer, four Assistants, & four Key-Keepers, with a Servitor to attend the service of the Society. The Managers to be natives of Scotland, or natives of any other part

of Great Britain & New England, of Scot's progeny being inhabitants of Boston.

8. There shall be in Boston at such places as the Managers, shall appoint, an Anniversary Meeting on the second Tuesday of May for the election of Managers of the following year, & for inspections of the former Years managment; as also three more quarterly meetings on the Second Tuesday of August, November, & February, for the Collecting & disposing of charities & for making such prudential Orders from time to time as may be expedient. No affair of consequence shall be offered abruptly to vote, it is previously to be under the deliberation of the Managers in some private meeting by themselves. At all meetings when constituted, the President being in the Chair, the Rules are to be read before any business is entered upon; none but contributors to have a vote; Every affair or question shall be determined by a majority of the then present voters; excepting in abrogating any of these rules, or in affairs of any sum of money exceeding ten pounds to one person, in these cases two-thirds of the voters shall agree thereto. At the quarterly meeting immediately preceding the anniversary there shall be chosen a Committee to inspect the transactions of the Managers of that Year, & to examine the Treasurer's accounts and make report thereof at the next anniversary meeting, that the true state of the stock may be apparent every year.

9. The Treasurer at his receiving the Society's stock, writings, &c shall become bound with sufficient sureties in double value of the stock, to the President, Vice President, & one other of the managers, to render a just & true account & to re-deliver the stock, writings, &c with what other Donations and Improvements may happen in his time, to the next Treasurer, or to the Order of the Society. The Treasurer, who is also Secretary to the Society is to keep a fair Journal of all entries, quarterages, donations and improvements, votes & other affairs of the Society; for his service to be allowed One p. cent. At any time when there shall be more Money in the box than may be sufficient for the present exigencies, the Treasurer with the consent of the Managers shall let it out at interest to some substantial person or persons with two sufficient sureties payable

to the President, Vice President & Treasurer or any of them. Upon the decease of Obligers or Obligees, the principal shall be immediately called in, or the bond renewed. If interest on any bond is unpaid two months after it is due, the Bond is to be put in suit. As several inconveniences may happen by Members of the Society being borrowers or sureties; no member is to be admitted as borrower or surety.

10. The key-keepers are to attend Gentlemen & others, Scots, or of Scots Extraction, residing in Boston or transients to acquaint them with the charitable Design of this Society & to invite them to contribute by the formality of delivering to them a Silver Key. If any person being frequently invited do obstinately refuse, they are to return their names to some subsequent quarterly meeting.

May this Society subsist so long as Charity shall be a virtue."

During the agitation and political excitement which brought on the war for Independence, the work of the Society was somewhat interrupted, but never entirely suspended. A portion of the members were loyal to the Crown, and suffered great loss by having much of their property confiscated, and in consequence they were compelled to join the great body of Loyalists who sought new homes in Shelburne, Nova Scotia, St. John, New Brunswick, and other parts of the Canadian Provinces. By reason of this, the common tradition of the Scottish people of Massachusetts and New England has been, that, during the troubles of the Revolution many of the record books and documents, as well as the funds of the Society were lost. Such is not the case, and never was true. The records of the Society extending over two and a half centuries, are to-day complete, in possession of the Society, and in a most excellent state of preservation.

LITTLE WARS OF THE REPUBLIC

BY JOHN R. MEADER

PART V.—THE AMERICAN FILIBUSTERS

THE difference between a hero and a filibuster is practically the same distinction which exists between success and failure. Cortez in his conquest of Mexico made himself a hero. By his success he turned an illegitimate enterprise into an immortal achievement, and history has assigned to him a place upon one of its highest pedestals, among the rest of the world's great adventurers. Although little better than a filibuster, his victories as a warrior were sufficiently conspicuous to cleanse his reputation from all blame before the tribunal of public opinion, whereas if, like Walker or Lopez, he had paid for his deeds of daring with his life, it is not improbable that the popular verdict would have been reversed. Like all invaders, both Cortez and Walker sought for fame and fortune at the point of the bayonet in strange lands. Where one was successful the other failed. Where one is now honored and accredited with virtuous motives, the other is held to be little better than an executed felon.

Although the capital prize in fame's lottery has always been elusive there has been no lack of adventurers bold enough to dream of obtaining possession of it. Since the days of the Norsemen, history has recorded the deeds of many a daring adventurer who has gone forth to conquer or to die, and while the vast majority were able to procure no better reward than that of failure and death, the fortunes of war continued to present such alluring prospects that men gave little thought to the possibility of failure. They knew that they were tempting fate and they went to their death just as they would have marched to victory—with a smile on their faces.

The story of filibusterism in America opens with the beginning of the nineteenth century, when Don Francisco Miranda, a Venezuelan and a soldier of fortune who had fought under the Directory and in several European campaigns, conceived the idea of freeing his native land by inciting its citizens to rebellion. It was on February 2, 1805, that the Miranda expedition sailed from New York for Venezuela, but, although assisted as far as possible by the British and assured, at least, of the sympathy of the United States, the project came to a sorry ending before a shot had been fired. All its members who were captured were either executed or sentenced to lengthy terms of imprisonment, and the fact that Miranda himself escaped to return to Venezuela, where he participated in a more successful revolutionary movement, to die at last a prisoner in a Cadiz dungeon, are merely incidents in the life of an individual adventurer. His career as a filibuster ended with his first expedition, an expedition which, in its ignominious failure presaged the ending of all such adventurous efforts that were to follow, for there was but one of the American filibusters who did not lead his little army to suffering and death. The single exception was General Houston, whose victory over Santa Ana not only assured the independence of Texas but also avenged both the butchery of Mina and the horrors of the Alamo massacre.

It was not until after the Mexican war that the projects of the filibusters again began to be of interest to the people of the United States. The arrest of Narciso Lopez and his entire expedition, by the order of President Taylor, just as it was on the eve of its departure for Cuba, called attention to the vast fields for conquest that presented themselves in the southern continent. Illegitimate as such enterprises were in view of the law of nations, the prospects which Lopez painted appealed strongly to those whose love of adventure had been awakened by the Mexican campaigns, and his call for more recruits speedily resulted in the organization of as brave a band of hardy soldiery as ever assembled beneath the banner of a filibuster. Being successful in eluding the vigilance of the United States marshal, Lopez landed his force of 600 men at Cardenas, on May 19, 1850, but, although the town was quickly captured, the refusal of the na-

tives to be liberated turned victory into practical defeat. Realizing the gravity of the situation, therefore, Lopez quickly evacuated the town and returned to New Orleans. Still unwilling to believe that the apathy of the people of Cardenas represented the sentiment of the Cuban populace, Lopez prepared for another expedition, and, on August 3, 1851, he sailed once more for Cuba at the head of a force of more than five hundred men. Landing at Bahia Honda, on August 11, he left about a third of his command at that point under the direction of Colonel William S. Crittenden of Kentucky, in order that they might protect the landing of the reinforcements that were to arrive within a few days, while he pushed forward to appeal to the people to rise and follow him to freedom. Again, however, he had misjudged the sentiments of the natives, for while they had assured him that they would rally to his support, they not only failed to keep these promises but many even went so far as to add their strength to that of the enemy. On August 28, he was compelled to surrender. Colonel Crittenden had already been captured, while attempting to escape to New Orleans, and with nearly all his command was executed. Lopez, with the fifty or more followers who remained, were taken to Havana, where they were shot on September 1, Lopez alone being put to the indignity of death by the garrote.

The treasure hoard of Northern Mexico was the ignis fatuus for which so many brave Californians imperilled their lives during the early 50's. Prominent among these adventurous spirits were the French immigrants, men from every social rank, from the impoverished nobleman to the fugitive felon. Attracted to the New World by the promise of the vast wealth to be obtained by a minimum amount of manual exertion, their expulsion from their claims had left them practically without an avenue of occupation, and, to their ears, therefore, the tales of unmeasured riches awaiting them in Sonora came with all the promises of renewed hope. In California they were friendless and hopeless, because they were powerless to help themselves; in Mexico there was nothing to prevent them from obtaining dominion over those treasure lands of which such wonders had been told—the basin of the Gila, whose sands were rich in grains of gold; the rocks and ledges from which the yellow nuggets

peeped forth enticingly; the western slope of the Sierra Nevada where mines of silver wealth, already opened in waiting for the coming of the fortunate miner, were guarded by bands of Apache Indians. It was a glorious picture of wealth and happiness which their imagination painted and they were eager for the moment when they might be able to set forth to test their fortunes in this new field.

One of the most sanguine members of the French colony in San Francisco was Count Gaston de Raousset Boulbon, a native of Provence, whose thirty-five years had been one long series of adventures. Journalist, member of the Assembly, founder of a colony in Algiers, he had at last set sail for California, only to find every opportunity for enrichment closed to him. Penniless, but not discouraged, he accepted the first means of livelihood that offered itself, and as a day laborer managed to keep body and soul together. In the midst of the most arduous toil, however, his mind was busy with his plans to obtain a foothold in Sonora, and, in the latter part of 1851, he persuaded his friend, M. Dillon, the French consul at San Francisco, to give him a letter of introduction to President Arista, of Mexico. Supplied with funds by the friends who were to participate in the fruits of his adventure, Gaston started upon his journey, and he was so successful that, when he returned, he brought a contract under which he agreed to take one hundred and fifty armed Frenchmen to Guaymas to protect and work the mines of Arizona. The plans of the company had been submitted to the President and had not only met with his approval but he had persuaded the banking house of Jerker, Toore & Co. to advance a large portion of the funds required to successfully engineer such an undertaking.

Fortified with this evidence of Government favor Raousset found so little difficulty in securing followers that it was two hundred and sixty men—instead of one hundred and fifty—and the pick of the French colony, who landed with him at Guaymas on June 10, 1852. Although received with open arms by the populace, it was not long before he discovered that some powerful influence was at work against him, that some strong effort was being made to prevent him from carrying his plans

into effect. That he was the victim of intrigue he had no doubt, and yet he never suspected that the source of this opposition was the President himself, he having made a contract with an English company in which he had agreed to let them have the same mines which he had already set apart for the French colonists. As General Blanco, Governor of Sonora, was not only a party to this secret, but was interested financially in the success of the British corporation, he not only failed to permit the conditions of the Government's contract to be fulfilled, but also placed so many obstacles in the way of Raousset and his followers that they finally announced their determination to fight rather than submit to such humiliating treatment any longer.

Of course, in taking this stand the French colonists had played directly into the hands of their enemy, for by this act the peaceful settler had declared himself the filibuster. Delighted with the turn of affairs, therefore, General Blanco massed his forces at Hermosillo, and, on the morning of October 14, they were attacked by the small army of colonists, who fought so like madmen, the Governor and his twelve hundred soldiers were quickly driven from the town.

Assured that his followers were men of courage, Raousset was preparing to follow this victory with other operations which would tend to strengthen his position, when he was suddenly seized with a serious attack of illness. While his men had fought bravely and had obeyed his commands without hesitation, not one of them knew anything of the art of warfare. His was the genius that had led them to victory, and, deprived of his advice, they were like so many blind men turned loose without a guide. In their opinion, therefore, the only safe course open to them was to retreat, so they quickly turned back to Guaymas, carrying their unconscious leader in a litter, and, before he had recovered sufficiently to protest against such proceedings, they had made a treaty with the Governor by which they promised to leave Mexico upon the receipt of forty thousand dollars.

As Raousset had not been a party to this agreement he determined upon his recovery that he would return to Sonora

and in some way gain possession of the territory of which he had been so unjustly deprived. Returning to California, therefore, he impatiently waited for his opportunity. Men there were, and plenty of them, who would be glad to follow such a leader, but the money for the expedition was not forthcoming. Suddenly, however, the chance presented itself. In January, 1853, Arista was deposed by Ceballos; the latter by Lombardini, in February, and Lombardini himself by Santa Ana, in April. Two months later Raousset was called to Mexico to confer with the new President, but while the latter had plans in which Raousset could have aided him materially, their negotiations ended in a quarrel, during which the Frenchman hinted very broadly that he was of the opinion that all Mexicans were liars. Compelled to hasten back to California to save himself from the vengeance of the wily butcher of the Alamo there seemed to be little reason why he should not have been disheartened at the prospects.

During his absence, however, affairs had taken a different turn. Another filibuster, in the person of William Walker, had recognized the advantages to be gained by the seizure of Sonora, and a party under his command had departed from San Francisco upon that mission just before Raousset's arrival. He had scarcely reached the city, therefore, when he was called upon by Del Valle, the Mexican counsel, who informed him that Santa Ana, now thoroughly alarmed at the proceedings, desired him to return immediately with three thousand French immigrants, all men, who might be depended upon to defend the property which he would give them in Sonora.

Delighted with such an order, for he thought that he saw in it the realization of all his hopes, Raousset set about his task with so much energy that within a few days he had enlisted more than eight hundred men for the enterprise. As the scheme was purely one of colonization none of its projectors anticipated the slightest opposition, but in this opinion they were doomed to disappointment. Walker's expedition had been financed with funds furnished for that purpose by one of the powerful factions in American politics—the party composed of those who desired the annexation of Mexico that it might be

used for the extension of slave territory—and its leaders realized that the presence of so many armed Frenchmen in Sonora would be fatal to their prospects. By intrigue, therefore, if not by actual false representation, the friends of Walker succeeded in persuading the federal authorities to arrest both Del Valle and the French consul, M. Dillon, and to seize the “Challenge,” the boat which they had purchased, on the ground that the entire scheme was in violation of the neutrality laws of the United States. That the two consuls would be exonerated there was little doubt; that their boat would be released was scarcely a matter of question, but the requisite legal proceedings took time, and when the “Challenge” was finally permitted to sail, on April 20, she took with her a nondescript company of about three hundred men. The delay, moreover, had been a misfortune for Raousset in more ways than one. It had resulted in the practical disbandment of his expedition, but it had also given Santa Ana time to recover his fright. Seeing that the much-dreaded Walker had been safely disposed of, he began to believe that it might be possible for him to hold his own against any such army of filibusters as might come to take possession of his territory in the future, so, instead of threatening to make trouble because of the arrest of his consul, he felt more like expressing his gratitude to the United States authorities for having saved him from the three thousand Frenchmen.

To Raousset this unexpected culmination of circumstances represented the end of a tragedy. He knew that he was not wanted in Mexico, that it would be fatal for him to go to Sonora, and yet he had given his promise to the “Challenge” party that he would follow them and would lead them to victory. Realizing that it would probably be impossible for him to keep the latter part of his agreement, he was at the same time determined that the failure should not be charged to any lack of effort on his part, so, bidding farewell to his friends secretly, and stealing out of San Francisco under cover of the darkness—for the United States marshal held a warrant for his arrest—Raousset started for Guaymas, where his friends were waiting for him.

Intending to enter the city without the knowledge of the au-

thorities, Gaston found that his coming was anticipated but as he was met politely and was even received with considerable distinction, he began to hope that his fears had been groundless. Within a day or two, however, it became apparent that this politeness had been assumed merely for the purpose of blinding the Frenchmen to the true condition of affairs, for while the latter were waiting patiently for the Mexican officials to award them the land which had been promised to them the Governor had sent for reenforcements with the aid of which he proposed to exterminate the little band of unwelcome colonists.

Warned, at last, of the nature of the Mexican plot, the Frenchmen realized that their only hope depended upon their ability to defeat the Government troops before the arrival of the new force of eighteen thousand men which was said to be on its way to Sonora. With absolute fearlessness, therefore, Raousset joined his companions in their attack upon the well-fortified barracks, and it was only when more than one-third of the colonists had fallen that they could be persuaded to surrender, and, even at that time, they refused to lay down their arms until they had been assured that the lives of all of them, including Raousset, would be spared. Although made under a pledge of honor and with the approval of Governor Yanes, Gaston was immediately sent to prison, and, ten days later, after a parody upon a trial, he was shot to death as a traitor and rebel. With free hands, with eyes unbandaged and with a smile on his face, he met the end, "a Cortez slain at the beginning of his enterprise."

But, in the meantime, what had become of Walker, whose expedition to Sonora had had such a fatal influence upon the affairs of Raousset? Thoroughly imbued with the belief that negro slavery was a divine institution and that it was his destiny to extend slave territory into Mexico and Central America, this bold adventurer, the most remarkable filibuster of modern times, had entered upon a carefully planned campaign of conquest. Unlike the French immigrants Walker had suffered from no lack of funds. Supported by the pro-slavery enthusiasts, who had freely subscribed to the bonds of the new republic which he was to institute in Sonora, he had found no difficulty in securing recruits, and everything was ready for the departure of the expedition when

the brig "Arrow," which they had chartered as a transport, was seized by General Hitchcock, then commander of the United States forces in California. Although acting strictly within the law, the expedition being an unquestionable violation of the neutrality laws, the procedure gave great offence. At this time nearly all the federal officials in California were slavery extensionists, and their decision that General Hitchcock's action had been without "a scintilla of evidence," met with the approval of Jefferson Davis, then secretary of war. As the result Walker was not long delayed, and, on October 16, he sailed from San Francisco with forty-six men.

It was a ridiculously small body of men, especially when one remembers that it was their intention to conquer an empire, and yet there was no hesitation on their part. Landing at La Paz, the capital of Lower California, Walker took formal possession of the town, together with the Governor and the archives. Thus fortified he called an election, at which he was elected President, and issued a decree declaring the independence of Lower California and adopting the code of Louisiana as the law of the land. As this code legalized slavery Walker was satisfied. "Our government has been formed upon a firm and sure basis," he wrote, and, absurd as it may seem, he certainly meant what he said. Two months later he annexed the neighboring province of Sonora—on paper, although at that time he had not yet set foot upon that portion of his dominion.

Small as Walker's force was in point of numbers, every man in the party was faithful to the leader, and, as the result, they accumulated a string of victories which aroused a great deal of enthusiasm among their friends at home. They told how they had taken first one town, and then another, but they did not mention the fact that they had so far been unable to hold a single one of these points and that their freedom from arrest was largely due to the circumstance that no strong Mexican force had yet caught up with them. Instead, they painted the glory of their achievements in such attractive colors that San Francisco was convulsed with the desire to go forth and aid in the work of "extending the area of freedom." So great was the enthusiasm that it was no longer necessary to work in secret. The flag of the



DECORATING A FAMOUS PRIVATEER OF 1812

The schooner "Polly" at her pier in the North River during the ceremony on November 2 which marked the placing of a bronze tablet by the members of the New York Chapter of the Daughters of 1812. The "Polly" is still engaged in coastwise trade. (See Historical Views and Reviews)

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new republic was suspended in front of the door of its recruiting office; its bonds were sold openly, and its enlistment officers made so little pretense at concealment that, within a few weeks, they were able to send an additional force of more than two hundred men to help Walker in his work of conquest.

Unfortunately for the success of the expedition, however, the new recruits were not selected with the care that Walker would have exercised if he had been in charge of the enlistment. They were brave men, some of them were desperate men, and yet they were perfectly sane soldiers of fortune, not mad enthusiasts like Walker and his first party. They were willing to face dangers, but they insisted that they should see some hope of compensation for the risks they were ready to assume, so when their leader told them just how much he had accomplished and what he hoped to do in his conquest of Sonora, they did not accept the situation with any great degree of favor. Instead they held a conference, after which a number of them decided that they had had enough of filibustering and they quickly crossed the line into the United States. Surprised at this action, which he regarded as unwarranted treason, Walker pursued the deserters, and, having caught some of them, shot two, and drummed the others out of camp, after giving them a severe flogging. He then ordered a muster of his troops, and, after making a stirring appeal to them, he demanded to know how many of them could be depended upon to follow him. Of the entire force only the members of his original party and a few of the new recruits responded, so it was with less than a hundred men that he began his march towards Sonora. Other desertions occurred while they were on the march; at almost every point they were harried by small forces of Mexicans and Indians, who shot the stragglers and robbed their camps of their insufficient stores, and, at last, disease came, until the force had dwindled to less than fifty. Almost starved, and clad only in rags, the hopelessness of their effort finally dawned upon them, and they started to cut their way back to the California frontier.

It was at this time that Walker had an opportunity to exhibit his masterly generalship. With Mexicans and Indians upon their flanks and rear they recrossed the mountains. In almost every gorge they were exposed to galling fire, and it was only

by the finest strategy that the leader was able to take this remnant of his little force out of the enemy's country. At San Vincente, where he had hoped to find eighteen men whom he had left to guard his stores, not one remained. At one time the Mexicans approached them with a flag of truce, assuring them of safe passage across the border if they would deliver to them the body of their leader, but as such a proposition was treated with scorn, the troops pursued them to the boundary line, where Major McKinstry, of the United States Army, was awaiting them. It was on May 8, 1854—on Walker's thirtieth birthday—that the brave filibuster delivered his band of thirty-four hungry, ragged pedestrians into the hands of the United States Government. Gaunt and unsightly as they were they were all that was left of the "Republic of Sonora."

(To be Continued.)

HISTORY OF THE MORMON CHURCH

BY BRIGHAM H. ROBERTS, Assistant Historian of the Church

CHAPTER XXXII

THE DEPARTURE OF THE SAINTS FROM MISSOURI

AT the conclusion of the examination of the prisoners before Judge King, and their departure for Liberty and Richmond respectively, the main body of the Church began preparations for the enforced exodus by spring.

It was during these trying times that Brigham Young began to exhibit those executive qualities which so pre-eminently fitted him as a great leader. By the death of David W. Patten and the apostasy of Thomas B. Marsh, the presidency of the quorum of the Twelve Apostles devolved upon him, hence also the leadership of the Church during the absence of the First Presidency, since the quorum of the Twelve Apostles stands next in order to the First Presidency, in the general presiding councils of the Church, and is of equal authority with the Council of the First Presidency.

Elder Young called together those members of the High Council of the Far West stake of Zion that still remained in Far West, and inquired of them as to their faith in the Latter-day work, first telling them that his own faith was unshaken. All the members present expressed their undying faith in the gospel, and their confidence in Joseph Smith as a prophet of God. The council was then reorganized; the vacancies caused by absence or apostasy were filled, and the council was prepared to do business. Elders John Taylor and John E. Page, both of whom had previously been chosen by revelation for the office, were ordained members of the quorum of the Twelve Apostles, on

the nineteenth day of September, under the hands of Brigham Young and Heber C. Kimball.

Elder Young's activity and zeal in caring for the poor were unbounded. A public meeting was called, not only of the Saints but also of the citizens of Caldwell county, and the poverty and distress of many of the Saints presented to them. Several gentlemen, not members of the Church, expressed themselves as being of the opinion that an appeal should be made to the citizens of upper Missouri, inviting their assistance towards furnishing means to remove the poor from Caldwell county. It is doubtful if any appeal was made, as a resolution was adopted at the meeting as follows:

"Resolved, That it is the opinion of this meeting that an exertion should be made to ascertain how much means can be obtained from individuals of the society (Church); and that it is the duty of those who have, to assist those who have not, that thereby we may, as far as possible, within and of ourselves, comply with the demands of the Executive."

At a subsequent meeting, similar in character to the first, Elder Young offered this resolution:

*"Resolved, That we this day enter into a covenant to stand by and assist each other, to the utmost of our abilities, in removing from this state, and that we will never desert the poor who are worthy, till they shall be out of the reach of the general exterminating order of General Clark, acting for and in the name of the state."*¹

This resolution was adopted, and a committee of seven appointed to superintend the removal of the Saints.

A committee was also appointed to draft a covenant that should bind the members of the Church in an agreement to assist each other to the extent of their available property to remove from the State of Missouri, in accordance with the orders of the Governor; this covenant was drawn up in due form and signed by the faithful brethren. Elder Young secured eighty names to this covenant the first day he circulated it and three hundred the next.

1. Documentary History of the Church. Vol. III, pp. 249, 250.

Agents were appointed to go down towards the Mississippi and make deposits of corn for the use of the Saints as they should make their way out of the state. The agents were also to make contracts for ferriage and arrange whatever else might be necessary for comfort and security of the refugees.

No sooner had these arrangements been perfected than Elder Young, whose wisdom and activity had doubtless given offense to the enemies of the Church, had to flee from Far West to escape the vengeance of the mob. He went to Illinois. In his labors Elder Young had been materially assisted by the support and counsels of Heber C. Kimball, John Taylor and the members of the various committees that had been appointed, to whom was now left the execution of the plans that had been evolved for the removal of the Church.

By the twentieth of April nearly all the Saints, variously estimated from twelve to fifteen thousand, had left the state where they had experienced so much sorrow;² and found a temporary resting place in the state of Illinois, many in the city of Quincy and vicinity, but a few settled in the then territory of Iowa.

Before leaving the state—as early as the 10th of December, in fact—the Saints memorialize the state legislature in behalf of the citizens of Caldwell county. The document is a temperate and straightforward statement of the wrongs suffered by the memorialists from their first settlement in Jackson county to the treaty forced upon them at Far West by General Lucas and Clark, and the outrages committed upon them after the surrender of their arms. It constitutes a terrible arraignment of the state and its officials, which is all the more powerful because of its moderation, which gives assurance of its truth.

After detailing the story of their wrongs, the memorial asked; first, that the legislature pass a law rescinding the exterminating order of Governor Boggs; second, an expression of the legislature disapproving the conduct of those who compelled them to sign a deed of trust at the muzzle of the musket, and of any man in consequence of that deed of trust taking their property and appropriating it to the payment of damages sustained, in con-

2. See note 1 end of chapter.

sequence of trespasses committed by others; third, that they receive payment for the six hundred and thirty-five firearms that were taken from them, which were worth twelve or fifteen thousand dollars; fourth, that an appropriation be made to reimburse them from their loss of lands from which they had been driven in Jackson county. The petition closed in these words:

In laying our case before your honorable body, we say that we are willing, and always have been, to conform to the Constitution and laws of the United States, and of this state. We ask in common with others the protection of the laws. We ask for the privileges guaranteed all free citizens of the United States and of this state to be extended to us, and that we may be permitted to settle and live where we please, and worship God according to the dictates of our own conscience without molestation. And while we ask for ourselves this privilege, we are willing all others should enjoy the same.²

Elder David H. Redfield was appointed to present this petition to the legislature; and on that mission he arrived at Jefferson City on the seventeenth day of December.

Previous to the arrival of Redfield, the Governor's exterminating order, General Clark's reports, the report of the *ex parte* investigation at Richmond, with other papers, had been forwarded to the legislature and referred to a special joint committee. That committee reported on the eighteenth day of December; and to show in what bad repute these documents were held by the committee, I need only say that it refused to allow them to be published with the sanction of the legislature, because the evidence adduced at Richmond in a great degree was *ex parte* and not of a character to be desired for the basis of a fair and candid investigation. Also because the grand juries in the several counties to which the charges against the Mormon prisoners would be referred would be required to act upon the same documentary evidence which the committee would be compelled to examine; by which circumstances two coordinate branches of government might be brought into collision—a circumstance that should be avoided. Also the report

2. Documentary History of the Church. Vol. III, p. 217, *et seq.*

of the committee previous to the trial of the Mormon prisoners might be prejudicial to them, and prevent a fair and impartial trial. The report concluded with three resolutions: one to the effect that it was inexpedient at that time to prosecute further the inquiry into the cause of the late disturbances; another to the effect that it was inexpedient to publish any of the documents accompanying the Governor's message in relation to those disturbances; the last favored the appointment of a joint committee from the house and senate to investigate the troubles in Upper Missouri, and the conduct of the military operations to suppress them. These resolutions were referred to a joint select committee with instructions to report a bill in conformity thereto.³ On the nineteenth the petition from the Saints was read amid the profound stillness of the house. At its conclusion an angry debate followed, in which quite a number of the members testified to the correctness of the statements made in the petition and to the cruelties practiced upon the Saints, but they were in the minority.

On the sixteenth of January, Mr. A. W. Turner, the chairman of the special conjoint committee before alluded to, in conformity with the resolution passed, reported "a bill to provide for the investigation of the late disturbances in the state of Missouri." The bill consisted of twenty-three sections. It provided for a joint committee composed of two members of the senate and three members from the house, which was to meet at Richmond on the first Monday in May and thereafter at such time and places as it saw proper. The committee was to select its own officers; issue subpoenas and other processes, administer oaths, keep a record, etc.

This bill was introduced on the sixteenth of January, and on the fourth of February called up for its first reading, but on motion of a Mr. Wright was laid on the table till the fourth day of July. He knew that by that time, since the Governor's exterminating order was still in force, that the "Mormons" in obedience to that cruel edict, would all have left the state, and

3. The report of the committee in extenso will be found in Documentary History of the Church. Vol. III, pp. 235-8.

then there would be no need of an investigation; and that was the fate of the bill. It was never afterwards brought up.⁴

The legislature appropriated two thousand dollars to relieve the sufferings of the people in Daviess and Caldwell counties, the "Mormons" were to be included as beneficiaries of the act. And now came an opportunity for the Missourians of Daviess county to display their generosity. Having filled their homes with the household effects of the Saints; their barns and stables with the stock they had stolen; their smoke houses with "Mormon" beef and pork; they concluded they could get along without their portion of the appropriation and allowed the two thousand dollars to be distributed among the "Mormons" of Caldwell county.

Judge Cameron and a Mr. McHenry superintended the distribution of this appropriation. The hogs owned by the brethren who had lived in Daviess county were driven down into Caldwell, shot down, and without further bleeding roughly dressed and divided among the Saints at a high price. This and the sweepings of some old stores soon exhausted the legislative appropriation, which amounted to little or nothing in the way of relief to the Saints.⁵

Subsequently this same legislature, while the petition of the Saints for a redress of their wrongs was lying before it, *appropriating two hundred thousand dollars to defray the expenses incurred in the "Mormon War."*

4. See note 2 end of chapter.

5. "The legislature of Missouri, to cover their infamy, appropriated the munificent sum of \$2,000 to help the suffering Mormons. Their agent took a few miserable traps, the sweepings of an old store; for the balance of the patrimony he sent into Daviess county and killed our hogs, which we were then prevented from doing, and brought them to feed the poor "Mormons" as part of the legislative appropriation." (*"The Mormon Question"* a Disunion between Schuyler Colfax, Vice President of the United States, and President John Taylor,—1869—p. 19).

The History of Caldwell county published by the National Historical Company (1886), p. 143, makes the following statement upon the subject:

"By an act of the legislature approved December 11, 1838, the sum of \$2,000 was appropriated, for the purpose of relieving the indigent and suffering families in Caldwell and Daviess counties, and the following commissions were appointed to expend the sum and distribute 'food, raiment, and other necessities' among the deserving; Anderson Martin, Wm. Thornton and John C. Richardson of Ray county; Elisha Cameron, John Thornton and Eli Casey, of Clay, Henry McHenry, of Caldwell, and M. T. Green, of Daviess. It is asserted that not a dollar of the appropriation was expended for the benefit of the Mormons, although the act itself did not especially exclude them. The Gentiles were the sole beneficiaris."

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LIBERTY JAIL.—THE PRISON-TEMPLE OF MISSOURI

NOTE 1: THE SUFFERING AND INJUSTICE ENDURED BY THE SAINTS IN THE EXODUS FROM MISSOURI: "The Mormons began leaving at once, and continued until all were gone except a few who gave up their associates rather than their property and who had friends among the citizens. Many sold out for what they could get, others left being unable to sell at all. Their leaders were prisoners, their means of defense as well as offense were taken from them, and the order of the governor caused some twelve thousand of them to be driven from the State. The official statement of the number killed and wounded on both sides in this Mormon war was officially stated as forty Mormons killed and several wounded, and one citizen killed and fifteen badly wounded." (History of Daviess county, Birdsall and Dean—1882—p. 205).

"In the midst of an inclement winter, in December, 1838, and in January, 1839, many of the Mormon men, women, and children, the sick and the aged, as well as the young and strong, were turned out of their homes in this (Caldwell) county and Daviess, into the prairies and forests, without food, or sufficient protection from the weather. In some instances in Daviess, their houses were burnt before their eyes and they turned out into the deep snow. Only a few cabins in the southwestern part of Caldwell were burned at this time.

Numerous families set out at once for Illinois, making the entire distance, in midwinter, on foot. A large majority, however, remained until spring as under the terms of the treaty they were allowed to remain in the county until that time. All through the winter and early spring those who remained prepared to leave. They offered their lands for sale at very small figures. In fact many bartered their farms for teams and wagons to get away on. Some traded for any sort of property. Charles Ross, of Black Oak, bought 40 acres of good land, north of Breckenridge, for a blind mare and a clock. Some tracts of good land north of Shoal Creek, in Kidder Township, brought only fifty cents an acre. Many of the Mormons had not yet secured the patents to their lands, and though they had regularly entered them, they could not sell them; the Gentiles would not buy unless they could receive the government's deeds, as well as the grantor's. These kinds of lands were abandoned altogether, in most instances, and afterwards settled upon by Gentiles who secured titles by keeping the taxes paid." (History of Caldwell county; National Historical Co.—1881—p. 142).

"These conditions (i. e., the terms enforced by Lucas and Clark) were certainly very hard, but they were the best that could be obtained; and if we may credit Mormon writers, it was

owing to the determined stand of Alexander W. Doniphan that they were not more rigorous.. As it was, the scenes that took place when the time came for carrying out these terms are said to have beggared description. The season was already far advanced, transportation was totally insufficient, and yet notwithstanding these silent appeals for delay some thousands of these unfortunate creatures of all ages, sizes, conditions, and of both sexes, were driven from their homes, and compelled to cross almost the entire northern part of the State before they could hope to find a resting place. As a rule, they were poor, had nothing but the small farms from which they were driven, but such was the pressure put upon them, or their anxiety to get away, that not infrequently "a valuable farm was traded for an old wagon, a horse, a yoke of oxen, or anything that would furnish them with the means of leaving." To take advantage of the necessities of a people so situated, even when their misfortunes were brought about by their own misdeeds [which they were not, as established by the text of our history] was certainly bad enough; but what adds immeasurably to the shame of the transaction is the fact that there are grounds for believing that not a little of the intolerance shown on this occasion may have been due to a desire on the part of the Gentiles to get possession of the Mormons' land. At least, this is the not unnatural inference from the statement made, not by one of themselves, but by a gentleman who has enjoyed exceptional advantages for acquainting himself with the facts of the case, and who tells us that "in many instances conveyances of land were demanded and enforced at the mouth of a pistol or rifle."

In a note Carr adds: "Switzler, in the Commonwealth of Missouri, p. 249. In the Succinct History we are told that 'Several hundred persons were driven in a defenseless condition into a hollow square of armed fiends, and compelled to sign away their property to the republic of Missouri, to defray the expenses which had been incurred in committing these crimes.' " (American Commonwealth—Missouri—Carr—1888—&p. 183-4).

"The surrender took place in November. The days were cold and bleak, but the clamor for the instant removal of the 'Mormons' was so great that the old and young, the sick and feeble, delicate women and suckling children, almost without food and without clothing were compelled to abandon their homes and firesides to seek new homes in a distant state. Valuable farms were sold for a yoke of oxen, an old wagon or anything that would furnish means of transportation. Many of the poorer classes were compelled to walk. Before half their journey was accomplished the chilly blasts of winter howled about them and

added to their general discomfort. The suffering they endured on this forced march though great, was soon forgotten in the prosperity of Nauvoo, their new asylum. Their trials and sufferings instead of dampening the ardor of the Saints, increased it tenfold. 'The blood of the martyrs became the seed of the Church.' " ("Caldwell County" by Crosby Johnson).

NOTE 2. THE FINAL ACTION OF THE MISSOURI LEGISLATURE IN RELATION TO DOCUMENTS ACCOMPANYING GOVERNOR FORD'S MESSAGE: In the legislature which convened in 1840-41, the subject of the "Mormon" difficulties was again taken up on the recommendation of Governor Boggs in his message. By this time the unwarranted procedure of the executive of the State, the militia officers, and the previous legislature began to be known throughout the country and widely commented upon by the press, and very generally condemned. This produced great uneasiness in the mind of Governor Boggs, and in his message to the legislature of 1840-41 he suggested that:

"To explain the attitude which we have been made to assume I would recommend the publication of all the events relating to the occurrence, and distributing the same to the chief authorities of each State. In pursuance of this recommendation the joint committee appointed from the senate and house made a collection of documents on the subject covering 162 pages. In the collection, however, there are none of the statements, petitions, or representations made to the public or the legislature by the Saints. The documents consist of the action of the respective houses in the appointment of committees and reports of those committees recommending investigations, etc.; of the reports and military orders of the militia generals; while the remainder of the pamphlet is made up of the *ex parte* testimony taken before Judge King at Richmond, concerning which testimony the Turner senate committee in reporting to the senate, under date of December 18, 1838, said: 'It is manifestly not such evidence as ought to be received by the committee.

'First, because it is not authenticated; and,

'Second, it is confined chiefly to the object of inquiry, namely, the investigation of criminal charges against individuals under arrest.' "

The action of the legislature was an attempt to vindicate the State of Missouri in her treatment of the Latter-day Saints. The effort, however, was in vain. The truth in relation to those transactions, in spite of all the efforts of the legislature was known, and the State's attempt to counteract its influence by a publication of documents giving a hearing to but one side of the

case, only emphasized the crime. I say but one side of the question was given, that should be so far modified as to admit that in the petition and affidavits about three and a half pages of matter are from Mormons or persons favorable to them; and in the second part, under the caption, "Evidence" there is about three pages of pro Mormon evidence. The History of Caldwell county records the following concerning the publication of this collection of documents: "The same legislature [i. e. of 1839] also prohibited the publication of 'the orders, letters, evidences, and other documents relating to the Mormon disturbances,' and enjoined the Secretary of the State from 'furnishing or permitting to be taken copies of the same for any purpose whatsoever.' Two years later, however, this prohibition was recinded. (See Acts 10th Gen. Assembly, p. 334). Why the act was passed in the first place may better be conjectured than positively asserted." ("History of Caldwell County, National Historical Society," p. 143).

"Extract of a letter from A. W. Turner, one of the members of the Missouri Legislature; [also he was chairman of the Committee on 'Mormon Investigation'] dated city of Jefferson, November 31st, 1838; taken from the '*Columbia Patriot*,' a Whig paper published in Missouri:

"The Mormon war is the most exciting subject before the Legislature or the community; it involves an enquiry the most critical of any ever presented to the Legislature of this country; one in which the rights of a portion of the free citizens of the State is concerned on one side, and the rights of another portion of the same citizens on the other. Upon the decision of this subject the character of the State is suspended. If upon full investigation it is found (and reported by the committee to the Legislature) that the Mormons are not the aggressors, and that some of them have been murdered, others driven from the State by military force, and others imprisoned by order of the Executive, then our character will be established as the most lawless invaders of religious and civil rights."

"Will the public believe that with the above view of the subject, the Legislature avoided an investigation? Wonder and be astonished, O Americans!" (Pratt's Presentation of the Saints—1840, pp. 133, 134).

NOTE 3: MISSOURI CONDEMNED: "What authority Gen. Lucas had to make such a treaty and to impose such conditions is not clear. It would seem that he regarded the Mormons as composing a foreign nation, or at least as forming an army with belligerent rights, and with proper treaty-contracting powers.

The truth was they were and had not ceased to be citizens of Missouri, amenable to and under the jurisdiction of its laws. If they had committed any crime they ought to have been punished, just the same as other criminals. There was no authority for taking their arms from them except that they were proved to be militia in a state of insubordination. There was no sort of authority for requiring them to pay the expense of the war. It was monstrously illegal and unjust to attempt to punish them for offenses for which they had not been tried and of which they had not been convicted. It would be a reasonable conclusion that in making his so-called treaty, Gen. Lucas was guilty of illegal extortion, unwarranted assumption of power, usurpation of authority, and flagrant violation of the natural rights of man." (*History of Caldwell County*, National Historical Company, p. 143).

"The entire proceedings in the cases [i. e. the proceedings against Joseph Smith *et al* on the charge of "treason against the state and murder, arson, robbery, etc.] were disgraceful in the extreme. There never was a handful of evidence that the accused were guilty of the crimes with which they were charged. Those who were tried were defended by General Doniphan and James S. Rollins. (*History of Clay county, by National Historical Company—1885—pp. 132-5*).

"That Governor Boggs' order of banishment was illegal and contrary to the spirit of our institutions—as are all such, whether emanating from executives, courts, or mobs—cannot be controverted." (*Prophet of Palmyra, Gregg—p. 146*).

"From first to last—but especially in the outset of the troubles—the Governor of the state was guilty of the most unpardonable remissness and partiality. He was formerly of Jackson county, and came into office with strong prejudices against the Mormons. At the time of the difficulty in Carrol, the Mormons sent and besought his interposition. He refused it, on the pretext of expense; but in a few weeks afterwards, ordered out against the Mormons, an army large enough to have prostrated ten times the force, supposed to be arrayed against it.

The conduct too, of Gen. Lucas, who commanded at the (so called) surrender at Far West, was to the last degree absurd and tyrannical. Regarding the Mormons—not as American citizens—but as prisoners of war, belonging to a strange and beligerent people, he imposed upon them a 'treaty' by which they bound themselves, through a committee to indemnify (the innocent for the guilty) the sufferers in Daviess, and to quit the state. Such stipulations, so flagrantly at war with the law of the land and with common right, did this notable general officer,

in the execution of his high and delicate trust, think fit to exact of his Mormon prisoners; supposing, as he doubtless did, that the Mormons were bound by it!" (Western Correspondent to the *Boston Atlas*).

"The general Assembly of Missouri refused investigation of the origin and history of this unexampled persecution. They knew better than to do it. Impartial investigation would have implicated the state and many of its legislators too deeply. It was a series of enormities that would not bear the light; and they, therefore—so far as they could do it—have quenched it in the darkness." (*Letter from Western Correspondent to the Boston Atlas*.)

Notwithstanding these and many other expressions of disapproval that found their way into current periodicals and books, yet there was, as stated by Parley P. Pratt, "Many state journals which tried to hide the iniquity of the state, by throwing a covering of lies over her atrocious deeds. But can they hide the Governor's cruel order for extermination or banishment? Can they conceal the facts of the disgraceful treaty of the Generals, with their own officers and men, at the city of Far West? Can they conceal the fact that ten or twelve thousand men, women and children, have been banished from the state without trial of condemnation. And this at an expense of two hundred thousand dollars, and this sum appropriated by the State Legislature, in order to pay the troops for this act of lawless outrage? Can they conceal the fact that we have been imprisoned for many months, while our families, friends and witnesses have been driven away? Can they conceal the blood of the murdered husbands and fathers; or stifle the cries of the widow and the fatherless?" (*Pratt's Persecution of the Saints*,—1840—p. 111).

CHAPTER XXXIII

LIBERTY JAIL—A TEMPLE—ESCAPE OF THE PRISONERS

The winter of 1838-9 was a trying one to President Joseph Smith and his associates immured in Liberty Prison. The food was coarse and filthy. "We could not eat it until we were driven to it by hunger," says Alexander McRae.¹ This hardship was some times relieved by the ministrations of friends in the neighborhood who brought them wholesome food and passed it through

1. Letter to *Deseret News*, Salt Lake City, Oct. 9th, 1854.

the prison window. One of the prisoners suspected that at one time an attempt was made to feed them upon human flesh, basing his suspicion upon the appearance of the meat and the fact that one of the guards made sport of the prisoners, saying that he had fed them on "Mormon beef,"² but this boast might have arisen from the fact that "Mormon" cattle were brought in and killed for beef. Bad as the Missourians were, they are entitled to the benefit of the doubt that exists in the case of such a revolting crime.

Sometimes the prisoners were visited by their enemies, many of whom were very angry with the Prophet, especially, and would accuse him of killing a son, a brother, or some relative of theirs at what was called the "Battle of Crooked River." "This looked very strange to me," says Alexander McRae, one of the Prophet's fellow prisoners, "that so many should claim a son or a brother killed there, *when they reported only one man killed.*"³

Of course every effort was made to secure the liberation of the prisoners. A hearing was obtained on writs of *habeas corpus* before Judge Turnham, one of the judges of Clay county, and Sidney Rigdon was released; but the rest were remanded to prison. Such was the state of feeling existing even in Clay county, that although Elder Rigdon was released by the court, he had to leave the prison at night and by stealth, and flee from the State to escape the mob.⁴

Word came into the prison that some of the most influential men in Western Missouri had said in the streets of Liberty, that the "Mormon prisoners would have to be condemned or the character of the State would go down." Upon this the prisoners determined upon making an effort to escape by rushing from the prison when their evening meal was served. In this they failed, and the news that they had attempted an escape greatly excited the populace, and many threats of violence were made, but nothing came of them.⁵

2. Affidavit of Hyrum Smith, Documentary History of the Church. Vol. III, p. 420.

3. McRae's Letter to the *Deseret News*, Oct. 9th, 1854.

4. Documentary History of the Church. Vol. III, pp. 264, 465.

5. *Ibid* 258, McRae Letters to the *Deseret News*.

President Smith also alludes to another attempt at escape by making a breach in the prison wall, but they were discovered upon the very eve of its accomplishment.⁶ The prisoners also had some misunderstanding with their attorneys in the matter of conducting their case, and the Prophet was insensed at the course of Gen. Atchison as his counsel.⁷

The succession of these unpleasanties was occasionally broken by the coming of a friend or a group of them to express their sympathy for the prisoners, and their confidence in the Prophet. All the prisoners, and especially the latter, appreciated these visits. "I was in prison and ye visited me," had a real meaning in his experience. "Those who have not been enclosed in the walls of a prison," he writes, "can have but little idea how sweet the voice of a friend is. One token of freindship from any source whatever awakens and calls into action every sympathetic feeling; it brings up in an instant everything that is passed; it seizes the present with the avidity of lightning; it grasps after the future with the fierceness of a tiger; it moves the mind backward and forward, from one thing to another, until finally all enmity, malice and hatred, and past differences, misunderstanding and mismanagements are slain victorious at the feet of hope."⁸

These visiting friends also brought information concerning the progress of the Church in leaving the State, which enabled the Prophet to give the Saints counsel from time to time. Also he communicated with them by letter several times, and in these communications he loosened the flood-tide of his over-wrought emotions, and in them the greatness of his soul is often revealed. The following salutation in one of these communications will exhibit the spirit in which he wrote to his people:

6. "The sheriff and jailer did not blame us for our attempt; it was a fine breach, and cost the county a round sum; but public opinion says that we ought to have been permitted to have made our escape; that then the disgrace would have been on us, but now it must come on the state; that there cannot be any charge sustained against us; and that the conduct of the mob, the murders committed at Haun's Mill, and the exterminating order of the Governor, and the one-sided, rascally proceedings of the legislature, have damned the state of Missouri to all eternity."—*Joseph Smith: Letter to the Church, March 25th, 1839. Documentary History of the Church, of 289 et seq.*

7. *Ibid.*

8. *Ibid.*

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A detailed hand-drawn map of Upper Missouri, showing county boundaries, major cities, and rivers. The map includes labels for counties such as Atchison, Worth, Grant, Harrison, Mercer, Putnam, Schuyler, Scotland, Clark, Gentry, Albany, Harrison, Grundy, Sullivan, Adair, Knox, Edina, Lewis, DeKalb, Dade, Livingston, Linn, Macon, Marion, Shelby, Monroe, Palls, Clay, Ray, Carroll, Randolph, Pike, Lincoln, Boone, Montgomery, Lincoln, Warren, St. Charles, St. Louis, and others. Major cities like St. Joseph, Kansas City, St. Louis, and Jefferson City are marked. Rivers like the Missouri, Kansas, and Grand are shown. The title "UPPER MISSOURI" is written in a stylized font in the top right corner.

UPPER MISSOURI

This hand-drawn map illustrates the Upper Missouri region, detailing county boundaries and major urban centers. The map is oriented with North at the top. Key features include:

- Counties:** Labeled counties include Atchison, Worth, Grant, Putnam, Schuyler, Scotland, Clark, Gentry, Harrison, Mercer, Sullivan, Adair, Knox, Lewis, Andrew, DeKalb, Dade, Grundy, Linn, Macon, Marion, Shelby, Monroe, Pike, Platte, Clay, Ray, Carroll, Randolph, Rains, Boone, Lincoln, Montgomery, Warren, St. Charles, St. Louis, and others.
- Cities:** Major cities marked with dots include St. Joseph, Kansas City, St. Louis, Jefferson City, and many others.
- Rivers:** The Missouri River, Kansas River, and Grand River are depicted with wavy lines.
- Geographical Features:** The map shows the confluence of the Missouri and Kansas rivers, as well as the location of St. Louis and Jefferson City.

“Your humble servant, Joseph Smith, Jun., prisoner for the Lord Jesus Christ’s sake, and for the Saints, taken and held by the power of mobocracy, under the exterminating reign of his excellency, the Governor, Lilburn W. Boggs, in company with his fellow prisoners and beloved brethren, Caleb Baldwin, Lyman Wight, Hyrum Smith, and Alexander McRae, send unto you all greeting. May the grace of God the Father, and of our Lord and Savior Jesus Christ, rest upon you all, and abide with you forever. May knowledge be multiplied unto you by the mercy of God. And may faith and virtue, and knowledge and temperance, and patience and godliness, and brotherly kindness and charity be in you and abound, that you may not be barren in anything, nor unfruitful.

For inasmuch as we know that the most of you are well acquainted with the wrongs and the high handed injustice and cruelty that are practiced upon us; whereas we have been taken prisoners charged falsely with every kind of evil, and thrown into prison, enclosed with strong walls, surrounded with a strong guard, who continually watch day and night as indefatigably as the devil does in tempting and laying snares for the people of God:

Therefore, dearly beloved brethren, we are the more ready and willing to lay claim to your fellowship and love. For our circumstances are calculated to awaken our spirits to a sacred remembrance of everything, and we think that yours are also, and that nothing therefore can separate us from the love of God and fellowship one with another; and that every species of wickedness and cruelty practiced upon us will only tend to bind our hearts together and seal them together in love. We have no need to say to you that we are held in bonds without cause, neither is it needful that you say unto us, we are driven from our homes and smitten without cause. We mutually understand that if the inhabitants of the State of Missouri had let the Saints alone, and had been as desirable of peace as they were, there would have been nothing but peace and quietude in the State unto this day; we would not have been in this hell, surrounded with demons (if not those who are damned, they are those who shall be damned); and where we are compelled to hear nothing but blasphemous oaths, and witness a scene of blasphemy, and drunkenness, and hypocrisy, and debaucheries of every description.”⁹

The Prophet does not hesitate to indulge in self-criticism, and criticism of the Saints in these communications. Having in mind

9. Epistle to the Church from Liberty Prison, March 25th, 1839, Documentary History of the Church Vol. III, p. 289, *et seq.*

the exalted station which the New Dispensation conferred upon the Priesthood of the Church, and upon the members, he said:

“How vain and trifling have been our spirits, our conferences, our councils, our meetings, our private as well as public conversations—too low, too mean, too vulgar, too condescending for the dignified characters of the called and chosen of God, according to the purposes of His will, formed before the foundation of the world! We are called to hold the keys of the mysteries of those things that have been kept hid from the foundation of the world until now. Some have tasted a little of these things, many of which are to be poured down from heaven upon the heads of babes; yea, upon the weak, obscure and despised ones of the earth. Therefore we beseech of you, brethren, that you bear with those who do not feel themselves more worthy than yourselves, while we exhort one another to a reformation with one and all, both old and young, teachers and taught, both high and low, rich and poor, bond and free, male and female; let honesty, and sobriety and candor, and solemnity, and virtue, and pureness, and meekness, and simplicity crown our heads in every place; and in fine, become as little children, without malice, guile or hypocrisy.”¹⁰

The experiences in Missouri evidently had a broadening effect upon the Prophet’s mind. He thus instructs his people in relation to the tolerance that should be exercised towards those not of the faith:

“We aught always to be aware of those prejudices which sometimes so strangely present themselves, and are so congenial to human nature, against our friends, neighbors, and brethren of the world, who choose to differ from us in opinion and in matters of faith. Our religion is between us and our God. Their religion is between them and their God. There is a love from God that should be exercised toward those of our faith, who walk uprightly, which is peculiar to itself, but it is without prejudice; it also gives scope to the mind, which enables us to conduct ourselves with greater liberality towards all that are not of our faith, than what they exercise toward one another.”¹¹

In relation to civil duties and the sacredness and value of the

10. Documentary History of the Church, Vol. III, pp. 295-6.

11. Documentary History of the Church, Vol. III, p. 304.

Constitution of the United States, the Prophet thus taught his people from within the walls of his prison:

“Here is a principle also, which we are bound to be exercised with, that is, in common with all men, such as governments, and laws, and regulations in the civil concerns of life. This principle guarantees to all parties, sects, and denominations, and classes of religion, equal, inherent, and indefeasible rights; they are things that pertain to this life; therefore all are alike interested; they make up our responsibilities one towards another in matters of corruptible things, while the former principles respecting religion do not destroy the latter, but bind us stronger, and make up our responsibilities not only one to another, but unto God also. Hence we say, that the Constitution of the United States is a glorious standard; it is founded in the wisdom of God.¹² It is a heavenly banner; it is to all those who are privileged with the sweets of its liberty, like the cooling shades and refreshing waters of a great rock in a thirsty and weary land. It is like a great tree under whose branches men from every clime can be shielded from the burning rays of the sun. We, brethren, are deprived of the protection of its glorious principles, by the cruelty of the cruel, by those who only look for the time being for pasturage, like the beasts of the field, only to fill themselves; and forget that the ‘Mormons’ as well as the Presbyterians, and those of every other class and description, have equal rights to partake of the fruits of the great tree of our national liberty.”¹³

And this was the peroration of the Epistle:

“We say that God is true; that the Constitution of the United States is true; that the Bible is true; that the Book of Mormon is true; that the Book of Covenants is true; that Christ is true; that the ministering angels sent forth from God are true; and that we know that we have ‘an house not made with hands eternal in the heavens, whose builder and maker is God,’ a consolation which our oppressors cannot feel, when fortune, or fate, shall lay its iron hand on them as it has on us.”¹⁴

Such outgivings as these made Liberty Jail, for a time, a center of instruction. The eyes of the Saints were turned to it

12. Doctrine and Covenants, Sec. 101:76-80.

13. Documentary Hist. of the Church Vol. III, p. 304.

14. *Ibid.*

as the place whence would come encouragement, counsel—the word of the Lord. It was more temple than prison,¹⁵ so long as the Prophet was there. It was a place of meditation and prayer. A temple, first of all, is a place of prayer; and prayer is communion with God. It is the “infinite in man seeking the infinite in God.” Where they find each other there is holy sanctuary—a temple. Joseph Smith sought God in this rude prison, and found Him. Out of the midst of his tribulations he called upon God in passionate earnestness—

“O God! where art thou? And where is the pavilion that covereth thy hiding place? How long shall thy hand be stayed, and thine eye, yea thy pure eye, behold from the eternal heavens, the wrongs of thy people, and of thy servants, and thine ear be penetrated with their cries? Yea, O Lord, how long shall they suffer these wrongs and unlawful oppressions, before thine heart shall be softened towards them, and thy bowels be moved with compassion towards them? O Lord God Almighty, Maker of the heaven, earth, and seas, and of all things that in them are, and who controlleth and subjecteth the devil, and the dark and benighted dominion of Shayole! Stretch forth thy hand; let thine eye pierce; let thy pavilion be taken up; let thy hiding place no longer be covered; let thine ear be inclined; let thine heart be softened, and thy bowels moved with compassion towards us. Let thine anger be kindled against our enemies; and in the fury of thine heart, with thy sword avenge us of our wrongs. Remember thy suffering¹⁵ Saints, O our God! and thy servants will rejoice in thy name forever.”

And God answered, and said:

“My son, peace be unto thy soul; thine adversity and thine afflictions shall be but a small moment; and then, if thou endure

15. Liberty Jail faced the east, and was scant two hundred yards from the court house. It was built of rough dressed limestone, of a yellowish color. Its dimensions were twenty by twenty-two feet, and the walls were two feet thick. It had two floors, hence two rooms—an upper one and a basement, which formed a dungeon. In the east end was a heavy door made strong, and of great thickness, by nailing inch oak boards together with iron spikes. In the south side of the upper room there was a small opening, a foot and a half square, with strong iron bars, two inches apart, firmly embedded in the stones of the wall. “It cost the county six hundred dollars; Solomon Fry being the contractor.”

A photogravure of the rude structure accompanies this chapter, from a photograph taken some years ago, after the building was fallen into decay. The old building has since been removed.

15. Doc. & Cov. Sec. CXXI; 1-6.

it well, God shall exalt thee on high; thou shall triumph over all thy foes; Thy friends do stand by thee, and they shall hail thee again, with warm hearts, and friendly hands; Thou art not yet as Job; thy friends do not contend against thee, neither charge thee with transgression, as they did Job; And they who do charge thee with transgression, their hope shall be blasted, and their prospects shall melt away as the hoar frost melteth before the burning rays of the rising sun;¹⁶ * * * The ends of the earth shall enquire after thy name, and fools shall have thee in derision, and hell shall rage against thee, while the pure in heart, and the wise, and the noble, and the virtuous, shall seek counsel, and authority, and blessings constantly from thy hand, *and thy people shall never be turned against thee by the testimony of traitors;* * * * If thou art called to pass through tribulation, if thou art in perils among false brethren, if thou art in perils among robbers, if thou art in perils by land or by sea, If thou art accused with all manner of false accusation, if thine enemies fall upon thee, if they tear thee from the society of thy father and mother and brethren and sisters, and if with a drawn sword thine enemies tear thee from the bosom of thy wife, and of thine offspring * * * And if thou shouldst be cast into the pit, or into the hands of murderers, and the sentence of death passed upon thee, if thou be cast into the deep, if the billowing surge conspire against thee, if fierce winds become thine enemy, if the heavens gather blackness, and all the elements combine to hedge up the way; and above all, if the very jaws of hell shall gape open the mouth wide after thee, *Know this my son, that all these things shall give thee experience, and shall be for thy good.* The son of man hath descended below them all; art thou greater than He.’¹⁷

One other lesson came of that seven times heated furnace of Missouri experience. A lesson rich in great possibilities for the future peace and prosperity of the Church. A lesson that bars priest-craft from the Church, and enthrones there a true priesthood, moved to action by the pure love of God and man, which is charity.¹⁸ It establishes the government of the Church as moral government, and moral government alone—God’s gov-

16. *Ibid* verses 6-11.

17. Doc. & Cov. Sec. 22:1-7.

18. Book of Mormon, Moroni, Ch. VII.

ernment.¹⁹ That lesson also was put into form in that Prison-Temple, Liberty Jail, and stands in the revelation as follows:

“Behold, there are many called, but few are chosen. And why are they not chosen? Because their hearts are set so much upon the things of this world, and aspire to the honors of men, that they do not learn this one lesson— That the rights of the Priesthood are inseparably connected with the powers of heaven, and that the powers of heaven cannot be controlled nor handled only upon the principles of righteousness. That they may be conferred upon us, it is true; but when we undertake to cover our sins, or to gratify our pride, our vain ambition, or to exercise control, or dominion, or compulsion, upon the souls of the children of men, in any degree of unrighteousness, behold, the heavens withdraw themselves; the Spirit of the Lord is grieved; and when it is withdrawn, Amen to the Priesthood, or the authority of that man. Behold! ere he is aware, he is left unto himself, to kick against the pricks; to persecute the saints, and to fight against God. We have learned, by sad experience, that it is the nature and disposition of almost all men, as soon as they get a little authority, as they suppose, they will immediately begin to exercise unrighteous dominion.”

“No power or influence can or ought to be maintained by virtue of the Priesthood, only by persuasion, by long suffering, by gentleness, and meekness, and by love unfeigned. By kindness, and pure knowledge, which shall greatly enlarge the soul without hypocrisy, and without guile. Reproving betimes with sharpness, when moved upon by the Holy Ghost, and then showing forth afterwards an increase of love toward him whom thou hast reproved, lest he esteem thee to be his enemy; that he may know that thy faithfulness is stronger than the cords of death.”²⁰

Truly the kingdom of the Christ is not of this world. If it were of this world its reliance would be upon effective government, the government which rests on force. “If my kingdom were of this world,” said the Christ, “then would my servants fight, that I should not be delivered to the Jews; but now is my kingdom not from hence;”²¹ or, not of physical force, but of

19. See *Ante*, ch. XIV.

20. Doc. & Cov. Sec. 121.

21. John xviii:36.

moral suasion. "Every one," says Jesus, in concluding his conversation with Pilate here quoted—"Every one that is of the truth heareth my voice."²² And such as obey, of course, do so because persuaded of the truth. Again the master said:

"Ye know that the princes of the Gentiles exercise dominion over them, and they that are great exercise authority upon them. *But it shall not be so among you;* but whosoever will be great among you, let him be your minister; and whosoever will be chief among you, let him be your servant: Even as the Son of man came not to be ministered unto, but to minister, and give his life a ransom for many."²³

Truly a kingdom not of this world. A kingdom of humility, not of pride; of service, not of mastery; of persuasion and teaching truth, not of physical force; of love, not of compulsion. And how admirably all this conjoins with the great truth announced from the Prison-Temple at Liberty quoted above! The Missouri experiences of the Church were trying and sad. The days were filled with sorrow and the nights with terror; but if out of those fiery ordeals came this lesson, and the absolute truth and force of it could come to the Church in no other way, it was worth to the Church for its future guidance and to humanity all that it cost the Saints. Had the Church been guided altogether in her later Missouri period by the principles of this revelation, her history in that State might have been somewhat different; but if the Son of Man had to learn obedience by the things which he suffered,²⁴ it is not surprising if lesser men learn obedience in the same way, but more slowly.

In April of 1839 the prisoners so long held in Liberty jail were taken into Daviess county where it was expected they would be tried. In about ten days the grand jury reported indictments against them for "treason, murder, arson, theft and stealing." Considering that in Daviess county they would be tried before Judge Thomas C. Birch, who had been the prosecuting attorney in the *ex parte* examination of the charges against them before Judge King at Richmond in November preceding, and also con-

22. *Ibid* verse 37.

23. Matt. XX:25-28.

24. Hebrews V:8.

nected as a military officer with the courtmartial that condemned them to be shot at Far West; that some of the grand jury which had indicted them were men connected with the massacre at Haun's Mill; and having reason to believe that the trial jury would be men made up of the same class, the prisoners asked for a change of venue to Marion county. That was denied, but one was given them to Boone county, and Judge Birch made out the mittimus without date, name, or place; and the prisoners in charge of the sheriff and four other men and a two horse team and wagon started for Boone county.

Passing through Diahman the prisoners were allowed to purchase two horses of the guard, giving some clothing for one, and their note for the other. The third day out from Gallatin three of the guards and the sheriff got drunk and went to bed. The sheriff, previously having shown the prisoners the mittimus made out by Judge Birch, now also informed them that Birch had told him not to take the prisoners to Boone county. After exposing the plan that had been laid for their escape by the authorities, the sheriff assured the prisoners that he should take a good drink of whiskey and go to bed, and they could do as they pleased. Accordingly when all the guards but one were asleep, that one, who, by the way, was sober as well as awake, assisted them to mount their horses and escape.²⁵ Ten days later they arrived among their friends in Illinois.

The other prisoners who had been left in Richmond during this dreary winter, in the spring were taken to Columbia, in Boone county, and during the summer also escaped and joined their fellow exiles in Illinois.

The escape of Joseph Smith and his associates from Liberty prison and the State was not the last scene of Mormon experience in Missouri. This chapter can be closed with the record of a prophecy fulfilled. In closing chapter XXVIII of this History reference was made to an appointment in a revelation given on the 8th of July, 1838, requiring the quorum of Apostles to take leave of the Saints in Far West on the site of the Lord's House, and thence depart "over the great waters"—Atlantic Ocean—

²⁵. See Affidavit of Hyrum Smith, Documentary History of the Church, Vol. III, p. 423. Also *note* Ibid, p. 321, and *note* I end of this chapter.

“and there promulgate the gospel.” Also reference was made to the boast of the mob that this was one of “Joe Smith’s revelations that should fail.”

At the time appointed, however, the twenty-sixth day of April, 1839, five of the Twelve Apostles arrived there, having come from Quincy, Illinois, by various routes to elude the vigilance of their enemies, together with a number of Elders, High Priests and other officers. The five Apostles ordained Wilford Woodruff and George A. Smith members of their quorum, thus making the number of Apostles present seven, a majority of the Twelve, and hence competent to transact business as a quorum. They also ordained Darwin Chase and Norman Shearer, both newly released from Richmond prison, to the office of Seventy. They excommunicated a number of persons from the Church; prayer was offered up by the Apostles in the order of their standing in the quorum. A hymn known to the saints as Adam-On-di-Ahman²⁶ was sung. After this hymn, Elder Alpheus Cutler, the master-workman of the Lord’s House, laid the south-east corner stone in its position, and said: “In consequence of the peculiar situation of the saints, it was deemed prudent to discontinue further labor on the House until the Lord should open the way for its completion.” The Apostles then took leave of some seventeen Saints, who were present, and started on their way to fill their missions “over the great waters.” Thus was fulfilled that revelation in every particular, notwithstanding the boasts of the mob which said it should fail of fulfillment.²⁷

NOTE 1. “ESCAPE OF JOSEPH SMITH AND ASSOCIATES FROM THEIR GUARDS:—“Messrs. Smith, Rigdon, Wight, and other comrades in jail at Liberty took a change of venue to Boone county and the Daviess county officers started with the prisoners to their destination in Boone county. Some of the prisoners having no horses, William Bowman, the first sheriff of Daviess county, furnished the prisoners three and they left in charge of William Morgan the sheriff of the county. The sheriff alone returned on horseback, the guard, who accompanied him, returning on foot or “riding and tying” by turns. The sheriff reported that

26. See Chapter XXVII this History.

27. The minutes of this meeting of the Twelve at Far West, are given at length in Documentary History of the Church. Vol. III, pp. 336-9.

the prisoners had all escaped in the night taking the horses with them, and that a search made for them proved unavailing. The people of Gallatin were greatly exercised and they disgraced themselves by very ruffianly conduct. They rode the sheriff on a rail, and Bowman was dragged over the square by the hair of the head. The men guilty of these dastardly acts accused the sheriff, Morgan, and ex-sheriff, Bowman, of complicity in the escape of the Mormon leaders; that Bowman furnished the horses and that Morgan allowed them to escape, and both got well paid for their treachery. The truth of history compels us to state that the charges were never sustained by any evidence adduced by the persons who committed this flagrant act of mob law." (History of Daviess county, Birdshall and Dean—1882, p. 206).

"After some months of confinement Smith made his escape, it was said by the connivance of the sheriff who had him in charge, the authorities probably deeming this the easiest way of disposing of a troublesome case." (The Prophet of Palmyra, Gregg, p. 146).

CHAPTER XXXIV

RETRIBUTION: WAS IT INFLICTED ON MISSOURI

There have been, of course, more extensive persecutions than that inflicted on the Saints in Missouri in 1838-9; but I doubt if there has ever been a persecution more cruel or terror laden in its character. Viewed from the standpoint of its net results there were some fifty people, men, and children, killed outright; about as many more were wounded or cruelly beaten, and very many more, including delicate women, perished indirectly because of the exposure to which they were subjected during the exodus.

In round numbers it is estimated that between twelve and fifteen thousand people, citizens of the United States, after being dispossessed of their lands and many of their houses burned or otherwise destroyed were forcibly driven from the state.

Joseph Smith represents that before leaving Missouri he paid the lawyers at Richmond \$34,000.00 in cash and land. One tract for which he was allowed, on account, \$7,000.00, the lawyers were soon offered \$10,000.00 for, but they refused to accept it. In vexatious suits others than those in Richmond he paid his

lawyers \$16,000.00. Making in all fifty thousand dollars. "For which," he remarks, "I received very little in return."¹

It is known that the Saints paid to the United States government for land alone, three hundred and eighteen thousand dollars, which, at the minimum price of one dollar and a quarter per acre, would give them land holdings of over two hundred and fifty thousand acres, representing for that day very large interests.²

To this list of results must be added the more horrible one of several cases of ravishment at Far West; and also, after barely escaping from the sentence of death pronounced by a court martial, the cruel imprisonment through weary months of a number of Church leaders.

In passing judgment upon such matters as these, account must be taken of the age and country in which they occurred; likewise the pretensions to right views of life, and devotion to freedom on the part of the perpetrators of the injustice. Undoubtedly a heavier debt is incurred to history, to humanity and to God, when the parties who resort to such acts of mob violence and injustice live in an enlightened age, and where the free institutions of their country guarantee both the freedom and the security of its citizens.

If in the jungle a man meets a tiger and is torn to pieces, no one thinks of holding the tiger to any moral accountability. Perhaps the hunt will be formed to destroy the beast, but that is merely to be rid of a dangerous animal, and prevent the repetition of the deed. If another meets a cruel death among savages in heathen lands, while some moral responsibility would hold against them, according to their degree of enlightenment, yet the fact that it was the act of savages would be held to reduce the degree of moral turpitude. And likewise even in civilized states, in localities to which the vicious may gravitate, when acts of violence are committed there, some allowance may be,

1. Documentary History of the Church, Vol. III, p. 327.

2. See "American Commonwealths," Missouri, (Houghton, Mifflin & Company, 1888), p. 181. The statement rests upon the authority of discourses by Pres. Geo. A. Smith, Church Historian, Salt Lake City, July 25th, 1869. Also Discourses June 20th, 1869. Journal of Discourses Vol. 13, p. 77.

and generally is, made for the ignorance and general brutality of the particular neighborhood.

By this process of reasoning I think it will appear quite clear that moral responsibility, both on the part of individuals and communities or nations, increases in proportion to their enlightenment. If, therefore, this principle be kept in view, the persecution of the Latter-day Saints by the people of Missouri was a very heinous offense.

True it may be said that the worst acts of cruelty were perpetrated by low, brutish men among the mob or in the militia—for these bodies were convertible from one to the other on shortest possible notice, and wholly as the exigencies of the enemies of the Saints demanded—but these were led and abetted by quite a different order of men; by lawyers, members of the state legislature, by county and district judges, by physicians, by professed ministers of the gospel, by merchants, by leading politicians, by captains, majors, colonels, and generals—of several grades—of the militia, by many other high officials of the state including the Governor, and finally by the action of the state legislature which *appropriated two hundred thousand dollars to defray the expenses incurred by the mob-militia in carrying out of the Governor's manifestly order, exterminating or drive the Saints from the State.* These facts are made apparent in the pages of this History of the Church. The facts cannot be questioned. They are written out most circumstantially. Times, places, and names are given of the incidents related, and the more important of these may be corroborated by histories of these events other than our own.

The persecutions then of the Latter-day Saints in Missouri, and their final expulsion from that state, were crimes against the enlightenment of the age and of the state where the acts occurred; a crime against the constitutions and institutions both of the state of Missouri and of the United States; as also a crime against the Christian religion. All this must be borne in mind when speaking of the severity and cruelty of this Missouri persecution when compared with other persecutions. The state of Missouri was guilty of a greater crime when it permitted, and even participated in the persecution of the Latter-

day Saints than states were which in the barbarous times of the dark ages persecuted their people, though when estimated in net results there may have been more murders and robberies, greater destruction of property, and more wide-spread suffering in the latter than in the former.

But what of Missouri? Did she pay any penalty for her wrongdoing? Are states such entities as may be held to an accounting for breeches of public faith and public morals—constitutional immoralities? Is there within the State a public conscience to which an appeal can be made; and in the event of the public conscience failing to respond to appeals for justice, and persisting in unrighteousness is there retribution?

I answer these questions in the affirmative; and hold that Missouri paid dearly for the violations of her guarantees of religious freedom, and for her many acts of lawlessness and her cruelties practiced towards the Latter-day Saints. That is to say, the vicious tendencies in lawlessness engendered by the acts of mobs and by the State's course towards the Saints, established such precedents, and begot such a disregard for law that the events to be related in the experience of Missouri as establishing retribution for violation of the plain dictates of justice, became possible. Let me say also before reciting those events, that the results to be pointed out here were specifically predicted by Joseph Smith in the following prophecies:

“Cursed are all those that shall lift up the heel against mine anointed, saith the Lord, and cry they have sinned when they have not sinned before me, saith the Lord, but have done that which was meat in mine eyes, and which I commanded them. But those who cry transgression, do it because they are the servants of sin, and are the children of disobedience themselves. And those who swear falsely against my servants, that they might bring them into bondage, and death—Wo unto them! because they have offended my little ones, they shall be severed from the ordinances of mine house; their basket shall not be full, their houses and their barns shall perish, and they themselves shall be despised by those that flattered them. They shall not have right to the Priesthood, nor their posterity after them, from generation to generation. It had been better for them that a millstone had been hanged about their necks, and they drowned in the depth of the sea. *Wo unto all those that discomfort my people, and drive,*

and murder, and testify against them, saith the Lord of Hosts; a generation of vipers shall not escape the damnation of hell. Behold mine eyes see and know all their works, and I have in reserve a swift judgment in the season thereof, for them all."³

The letter from which this prediction—given as the Word of the Lord—is taken was written from Liberty Prison, March 25, 1839. Again, on the 29th of November, 1843, in the city of Nauvoo, when reviewing in the presence of a number of brethren the course taken by Missouri against the Saints, the Prophet said:

"They shall be oppressed as they have oppressed us, not by 'Mormons,' but by others in power. They shall drink a drink offering, the bitterest dregs, not from the 'Mormons,' but from a mightier source than themselves, God shall curse them."⁴

The following Prophetic incident is given upon the authority of Mr. Leonidas M. Lawson, now of New York City, formerly a resident of Clay county, Missouri, and a brother-in-law of Gen. Doniphan's. "In the year 1863," says Mr. Lawson, "I visited Gen. A. W. Doniphan at his home in Liberty, Clay county, Missouri. This was soon after the devastation of Jackson county, Missouri under what is known as 'Order No. 11.'⁵ This devastation was complete. Farms were everywhere destroyed, and the farm houses were burned. During this visit General Doniphan related the following historical facts and personal incidents." Then follows in Mr. Lawson's account a recital of the treatment meted out to the Saints in Missouri from the time of their first arrival in 1831, to their expulsion, including recitals of the personal relations of Gen. Doniphan and Joseph Smith, including the following incident which occurred during the Prophet's imprisonment in Liberty jail:

"On one occasion General Doniphan caused the sheriff of the county to bring Joseph Smith from the prison to his law office, for the purpose of consultation about his defense. During

3. Documentary History of the Church, Vol. III, p. 294. Doc. & Cov. Sec. 121.

4. Journal of the Prophet under above date, *Millennial Star*, Vol. XXII, p. 392.

5. Of which more later.

Smith's presence in the office, a resident of Jackson county, Missouri, came in for the purpose of paying a fee which was due by him to the firm of Doniphan & Baldwin, and offered in payment a tract of land in Jackson county.

Doniphan told him that his partner, Mr. Baldwin, was absent at the moment, but as soon as he had an opportunity he would consult him and decide about the matter. When the Jackson county man retired, Joseph Smith, who had overheard the conversation, addressed General Doniphan about as follows:

'Doniphan, I advise you not to take that Jackson county land in payment of the debt. God's wrath hangs over Jackson county. God's people have been ruthlessly driven from it, and you will live to see the day when it will be visited by fire and sword. The Lord of Hosts will sweep it with the besom of destruction. The fields and farms and houses will be destroyed, and only the chimneys will be left to mark the desolation.'

General Doniphan said to me that the devastation of Jackson county forcibly reminded him of this remarkable prediction of the Mormon Prophet.

Yours, sincerely,

Signed. L. M. LAWSON.⁶

In a letter from Mr. A. Saxey of Spanish Fork, Utah, to Mr. Junius Wells treating further of the fulfillment of this prophecy, so well attested, Mr. Saxey under date of Aug. 25, 1902, says:

*"In the spring of 1862, my regiment went south, and it was during that time that "Order No. 11" was issued, but I was back there again in 1864, during the Price raid, and saw the condition of the country. The duty of executing the order was committed to Col. W. R. Penick's regiment, and there is no doubt but that he carried it into effect, from the howl the copperhead papers made at the time. I went down the Blue river, we found houses, barns, outbuildings, nearly all burned down, and nothing left standing but the chimneys which had, according to the fashion of the time, been built on the outside of the buildings. I remember very well that the country look a veritable desolation."*⁷

There can be no question then but what Joseph Smith pre-

6. The above is from a letter of Mr. Lawson's under date of "New York City, Feb. 7th, 1902," addressed to "Mr. Junius F. Wells." Mr. Wells published Mr. Lawson's letter *in extenso* in the *Improvement Era* (Utah), of November, 1902, Vol. VI, in an article under the Caption "A Prophecy and Its Fulfillment."

7. Mr. Saxey's letter to Mr. Wells is given *in extenso* in *Improvement Era*, Vol. VI, p. 10.

dicted retribution upon Missouri for the injustice she practiced towards the Latter-day Saints; for the violation of her own laws and constitution. She had sown the wind, and must reap the whirlwind. I here submit the evidence in the case:

By the political compromise which bore her name, Missouri became a "cape of slavery thrust into free territory." Except for the state of Missouri alone, her southern boundary line was to mark the furthestmost point northward beyond which slavery must not be extended into the western territory of the United States. In 1854, however, the Missouri compromise was practically overthrown by the introduction into Congress of the "Kansas-Nebraska Act," by Stephen A. Douglas, United States senator from Illinois. This act provided for the organization of two new territories from the Louisiana purchase, west of Missouri and Iowa. The act proposed that the new territories should be open to slavery, if their inhabitants desired it. This left the question of slavery in the status it occupied previous to the Missouri Compromise, and left the people in the prospective states to determine for themselves whether slavery should or should not prevail in their state. This opened again the slavery question, and there was begun that agitation which finally resulted in the great American War between the states.

As soon as it became apparent that the people of new territories were to determine for themselves the question of slavery, each party began a struggle for possession of the new territory according as its sentiments or interests dictated. The struggle began by the abolition party of the north organizing "Emigrant Aid Societies," and sending emigrants of their own faith into Kansas. The slave holders of the South, but chiefly of Missouri, also sent settlers representing their faith and interests into the new territory in the hope of bringing Kansas into the Union as a slave state. This brought on a border warfare in which the settlements of western Missouri and eastern Kansas alternately suffered from the raids and counter raids of the respective parties through some six years before the outbreak of the national war. As to which were the more lawless or cruel, the fanatical abolitionists or the pro-slavery party, the "jayhawkers," as the organized bands of ruffians of the former party



Civil War, as Realized in the Desolation of the Border Counties of Missouri, During the Operation of General Orders No 11. It Illustrates the Fulfillment of Joseph Smith's Prophecy respecting Jackson County, Missouri. See page 1167

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were called, or the "bushwhackers," as the similarly organized bands of the pro-slavery men were called, is not a question necessary to be discussed here. Both held the laws in contempt, and vied with each other in committing atrocities. The western counties of Missouri, where the Latter-day Saints had suffered so cruelly at the hands of the people of those counties some eighteen or twenty years before, were in this border warfare and sorely distressed. The hardships the Missourians had inflicted upon the Saints were now frequently visited upon their heads, only more abundantly.

Brigadier-General Daniel M. Frost, who had been employed in repressing lawlessness in the western counties of Missouri, in reporting conditions prevailing there in November, 1860, said:

"The deserted and charred remains of once happy homes, combined with the general terror that prevailed amongst the citizens who still clung to their possessions, gave but too certain proof of the persecution to which they had all been subjected, and which they would again have to endure, with renewed violence, so soon as armed protection should be withdrawn."⁶

"In view of this condition of affairs," continues the historian of Missouri I am quoting, "and in order to carry out fully Governor Stewart's order to repel invasions and restore peace to the borders, General Frost determined to leave a considerable force in the threatened district. Accordingly, a battalion of volunteers, consisting of three companies of rangers and one of artillery,⁷ was enlisted, and Lieutenant-Colonel John S. Bowen, who afterwards rose to high rank in the Confederate service, was chosen to the command:

"With the organization of this force, and perhaps owing also, in some degree, to the inclemency of the season, 'jayhawking,' as such, came to an end, though the thing itself, during the first two or three years of the Civil War, and, in fact, as long as there was anything left on the Missouri side of the border worth taking, flourished more vigorously than ever. The old jayhawking leaders, however, now came with United States commission in

6. "American Commonwealths, Missouri," p. 258.

7. "American Commonwealths, Missouri," p. 258.

their pockets and at the head of regularly enlisted troops, in which guise they carried on a system of robbery and murder that left a good portion of the frontier south of the Missouri river as perfect a waste as Germany was at the end of the Thirty Years' War.'"⁸

Speaking of the situation in Missouri in 1861, the out-gong Governor, Robert M. Stewart, in his address to the legislature, and referring to Missouri and her right to be heard on the slavery question, said:

"Missouri has a right to speak on this subject, because she has suffered. Bounded on three sides by free territory, her border counties have been the frequent scenes of kidnapping and violence, and this State has probably lost as much, in the last two years, in the abduction of slaves, as all the rest of the Southern states. At this moment several of the western counties are desolated, and almost depopulated, from fear of a bandit horde, who have been committing depredations—arson, theft, and foul murder—upon the adjacent border.'"⁹

While this description confines the scenes of violence and rapine to the border counties south of the Missouri river,—it included Jackson county, however, which was one of the heaviest sufferers both in this border warfare and subsequently during the Civil War—still, the counties north of that stream also suffered from lawlessness and violence.

At the outbreak of the Civil War Missouri was peculiarly situated. The great majority of her own people were for the Union, but her government, with Clairborne Jackson as the State executive, was in sympathy with the South. As the extreme southern states one after another seceded from the Union, Missouri was confronted with the question: What position she ought to assume in the impending conflict. The question was referred to a State convention in which appeared no secessionists. Indeed, the people of Missouri in this election by a majority of eighty thousand decided against secession. The convention, in setting forth the attitude of the State on the subject, said that Missouri's position was, "Evidently that of a State

8. "American Commonwealths, Missouri," p. 259.

9. "The Fight for Missouri." (Snead) p. 14.

whose interests are bound up in the maintenance of the Union, and whose kind feelings and strong sympathies are with the people of the Southern states, with whom we are connected by ties of friendship and blood. We want the peace and harmony of the country restored, and we want them with us. To go with them as they are now * * * is to ruin ourselves without doing them any good.”¹⁰

While this doubtless voiced the sentiment of a great majority of Missouri's people, the government of the State and many of thousands of its inhabitants sympathized with the South. The general assembly of the State authorized the raising and equipment of large military forces held subject, of course, to the orders of the Governor, under the pretense of being prepared to repel invasion from any quarter whatsoever, and enable the State to maintain a neutral attitude. The Governor refused to raise Missouri's quota of four regiments under President Lincoln's first call for seventy-five thousand men to suppress the rebellion, on the ground that these regiments were intended to form “part of the President's army, to make war upon the people of the seceded states.” This he declared to be illegal, unconstitutional, and therefore an order with which he could not comply. This precipitated a conflict between the State and national forces that resulted in a civil war within the State since some of her citizens sided with the general government and some with the State.

“We are now,” says Horace Greeley, in his “American Conflict,” and commenting upon this situation in Missouri—

“We are now to contemplate more directly the spectacle of a State plunged into secession and civil war, not in obedience to, but in defiance of, the action of her convention and the express will of her people—not, even by any direct act of her legislature, but by the will of her executive alone. * * * The State school fund, the money provided to pay the July interest on the heavy State debt, and all other available means, amounting in the aggregate to over three millions of dollars, were appropriated to military uses, and placed at the disposal of [Governor] Jackson, under the pretense of arming the State against any emer-

10. “American Commonwealths, Missouri,” p. 288.

gency. By another act the Governor was invested with despotic power—*even verbal opposition to his assumptions of authority being constituted treason*; while every citizen liable to military duty was declared subject to draft into active service at Jackson's will, and an oath of obedience to the State executive exacted."

On the 20th of April, 1861, the State militia under the Governor's orders captured the Federal arsenal at Liberty, Clay county, and in the nineteen months following that event "over three hundred battles and skirmishes were fought within the limits of the State;" and it is assumed that in the last two years of the war, there were half as many more; "and it may be said of them," continues our historian, "that they were relatively more destructive of life, as by this time the contest had degenerated into a disgraceful internecine struggle."¹¹

General John C. Freemont, August 31, 1861, then in command of the western department of the forces of the United States, declared martial law in the State of Missouri. In justification of this act he said:

"Circumstances, in my judgment of sufficient urgency, render it necessary that the Commanding General of this Department should assume the administrative powers of the State. Its disorganized condition, the helplessness of its civil authority, the total insecurity of life, and the devastation of property by bands of murderers and marauders, who infest nearly every county in the State, and avail themselves of the public misfortunes and the vicinity of a hostile force, to gratify private and neighborhood vengeance, and who find an enemy wherever they find plunder,—finally demand the severest measures to repress the daily increasing crimes and outrages, which are driving off the inhabitants and ruining the State. In this condition, the public safety and the success of our arms require unity of purpose: without let or hinderance, to the prompt administration of affairs.

"In order therefore, to suppress disorders, to maintain as far as now practicable the public peace, and to give security and protection to the persons and property of loyal citizens, I do hereby extend, and declare established, martial law throughout the State of Missouri. The lines of the army of occupation in this State are for the present declared to extend from Leavenworth,

11. "American Commonwealths, Missouri," p. 342.

by way of the posts of Jefferson City, Rolla and Ironton, to Cape Girardeau, on the Mississippi river.

“All persons who shall be taken with arms in their hands within these lines shall be tried by court-martial, and if found guilty, will be shot.”

Upon the subject of the slaves, in the same proclamation, the General says:

“The property, real and personal, of all persons in the State of Missouri who shall take up arms against the United States, and who shall be directly proven to have taken active part with their enemies in the field, is declared to be confiscated to the public use; and their slaves, if any they have, are hereby declared free men.”

In August, 1863, the celebrated “Order No. 11” was issued from Kansas City by General Thomas Ewing. By this “Order”—

“All persons living in Cass, Jackson, and Bates counties, Missouri, and in that part of Vernon included in this district, except those living within one mile of the limits of Independence, Hickman’s Mills, Pleasant Hill, and Harrisonville, and except those in that part of Kaw township, Jackson county, north of Brush creek and west of the Big Blue, embracing Kansas City and Westport, are hereby ordered to remove from their present places of residence within fifteen days from the date thereof. Those who, within that time, establish their loyalty to the satisfaction of the commanding officer of the military station nearest their present place of residence, will receive from him certificates stating the fact of their loyalty, and the names of the witnesses by whom it can be shown. All who receive such certificates will be permitted to remove to any military station in this district, or to any part of the State of Kansas, except the counties on the eastern borders of the State. All others shall remove out of this district. Officers commanding companies and detachments serving¹² in the counties named will see that this paragraph is promptly obeyed.”

The admonition in the last clause to commanding officers was rigidly followed; and within the district named scenes of violence and cruelty were appalling. This order with its cruel exe-

12. “History of Caldwell and Livingston Counties,” p. 51.

cution has been more severely criticized than any other act during the Civil War. The justification for it has been urged on the ground that Jackson county afforded a field of operations for Confederates; that here the bushwacking marauders recruited their forces, and found the means of support; that the policy was necessary on the ground of putting an end to that kind of warfare. On the other hand, it is contended that "tried by any known standard," the people in that section of Missouri were as loyal to the Union as were their neighbors in Kansas. "They had voted against secession; they had not only, thus far, kept their quota in the Union army full, and that without draft or bounty, but they continued to do so; and if they did not protect themselves against the outrages alike of Confederate bushwackers and Union jayhawkers, it was because early in the war they had been disarmed by Federal authority and were consequently without the means of defense."¹³

By the execution of the order, however, the people in the districts named "were driven from their homes, their dwellings burned, their farms laid waste, and the great bulk of their movable property handed over, without let or hindrance, to the Kansas 'jayhawkers.' It was a brutal order, ruthlessly enforced, but so far from expelling or exterminating the guerrillas, it simply handed the whole district over to them." "Indeed," continues Lucien Carr, "we are assured by one who was on the ground, that from this time until the end of the war, no one wearing the Federal uniform dared risk his life within the devastated region. The only people whom the enforcement of the Order did injure were some thousands of those whom it was Ewing's duty to protect."¹⁴

Whether justified or not by the attitude of the Jackson county people in the Civil War, the execution of "Order No. 11" certainly was but a re-enactment, though upon a larger scale, of those scenes which the inhabitants of that section of the country thirty years before had perpetrated upon the Latter-day Saints in expelling them from Jackson county. The awful scenes then enacted inspired the now celebrated painting by G. C. Bingham,

13. "American Commonwealths, Missouri," p. 351.

14. Ibid, p. 351.

bearing the title "Civil War," and dedicated by the artist "to all who cherish the principles of civil liberty," a photogravure reproduction of which accompanies this chapter.

In the fall of 1864, General Sterling Price penetrated the State at the head of twelve thousand men; captured Lexington, in Ray county, and Independence, in Jackson county, and thence made his escape into Arkansas. "In the course of this raid he marched 1,434 miles, fought forty-three battles and skirmishes, and according to his own calculation destroyed upwards of 'ten million dollars worth of property,' a fair share of which belonged to his own friends."¹⁵

That a just retribution overtook the entire state, as well as the inhabitants of Jackson county, and other western counties, I think must be conceded by all who are familiar with the events of Missouri's history in the Civil War. That which she did to an inoffensive people was done to her inhabitants, especially to those living within the districts formerly occupied by the Latter-day Saints; only the measure meted out to the Missourians was heaped up, pressed down, and made to run over.

The Western Missourians had complained that the Latter-day Saints were eastern men, whose manners, habits, customs, and even dialect were different from their own;¹⁶ but the Misourians lived to see great throngs of those same eastern men flock into an adjoining territory and infest their border, so that the settlers of western Missouri became accustomed to, and learned to endure the strange manners, customs and dialects so different from their own.

The Western Missourians complained of the rapidity with which the Saints were gathering into the State to establish their Zion; but the Missourians lived to see hordes of the detested easterners gather into their region of country by continuous streams of emigrant trains, sent there by "Emigrant Aid Companies" of New England.

The western Missourians falsely charged that the coming of

15. History of Missouri, Carr, p. 360. General Price was the Colonel Sterling Price who held the Prophet Joseph in custody at Richmond in 1838, who shackled the brethren and whose scurrilous guards were so severely rebuked by the Prophet — See *ante* chapter XXXI.

16. Minutes of Citizen Meeting, Liberty, Clay county, Documentary History of the Church, Vol. III, p. 450.

"Zion's Camp" into Missouri to aid their brethren to repossess their homes in Jackson county, was an armed invasion of the State; but the western Missourians lived to see formidable hosts of eastern and northern men gather upon their frontiers and frequently invaded the State.¹⁷

The western Missourians had falsely charged the Saints with abolition madness, with tampering with their slaves, with inviting free negroes into the State to corrupt their blacks, whose very presence would render their institution of slave labor insecure; but the men of Western Mission lived to see their system of slave labor abolished by the setting free of some one hundred and fifteen thousand slaves, valued at \$40,000,000, eight thousand of whom were "martialed and disciplined for war" in the Federal armies, and many of them marched to war against their former masters.

Governor Dunklin and his advisors in the government of Missouri claimed that there was no warrant of authority under the laws and constitution of the State for calling out a permanent military force to protect the Saints in the peaceful possession of their homes until the civil authority proved itself competent to keep the peace and protect the citizens in the enjoyment of their guaranteed rights; but the people in the western part of

17. "The character of much of this emigration may be gathered," says one historian, "from the fact that the Kansas Emigration Societies, Leagues and Committees * * * sent out men only;" and that in some of their bands Sharp's rifles were more numerous than agricultural implements." (History of Missouri, Carr, p. 343, Note.)

Of course the "Blue Lodges" of Missouri organized largely on the same principle as the "Emigrant Aid Companies" of New England, and adopted practically the same methods, expecting to add Kansas to the list of slave States. But "certainly," remarks Lucien Carr, "if a company of so called northern emigrants, in which there were two hundred and twenty-five men and only five women, whose wagons contained no visible furniture, agricultural implements or mechanical tools, but abounded in all the requisite articles for camping and campaigning purposes, were considered as bona fide settlers and permitted to vote, there could not have been a sufficient reason for ruling out any band of Missourians who ever crossed the border and declared their intention of remaining, even though they left the next day."¹⁸

18. History of Missouri, Carr, 245.

Among the men sent to the borders of Missouri by the "Emigrant Aid Companies" of New England were some of the most desperate adventurers; and the Missourians who had pretended to be alarmed at the coming of "Zion's Camp," and feigned to regard it as an armed invasion of the State, saw their State repeatedly invaded—especially Jackson county—by the bands of Union "jay-hawkers" organized from among these desperate eastern and northern men, who ruthlessly laid waste their homes and farms.

Missouri saw the time come when they themselves prayed for the same protection; and Governor Stewart, unlike Governor Dunklin, approved the appointment of a battalion of volunteers consisting of three companies of rangers and one of artillery, all of which were placed under command of Lieutenant-Colonel John L. Bowen, to do the very thing the Saints had prayed might be done in their case.¹⁹ But even this provision for their protection did not avail; for their old jayhawking enemies soon reappeared under new conditions—which will be stated in the next paragraph—under which they renewed their incursions of rapine and murder.

The state authorities of Missouri converted the mobs which had plundered the Saints, burned their homes and laid waste their lands, into the state militia, which gave the former mob a legal status, under which guise they plundered the Saints, compelled them to sign away their property and agree to leave the State. To resist this mob-militia was to be guilty of treason. But the people of western Missouri lived to see a like policy pursued towards themselves. They suffered much in Jackson and other western counties in the border war, previous to the opening of the Civil War, from the inroads of abolition “jayhawkers” in the interest of anti-slavery. For a time this was in part suppressed by the State militia under General Frost and by the permanent force stationed on the border under Lieutenant-Colonel Bowen. But later, and when the Civil War broke out, these old jayhawking leaders “now came with United States commissions in their pockets, and at the head of regularly enlisted troops, in which guise they carried on a system of robbery and murder that left a good portion of the frontier south of the Missouri river as perfect a waste as Germany was at the end of the Thirty Years War.”²⁰

Such wretches as Generals Lane and Jennison, though Union officers, and denounced alike by Governor Robinson of Kansas—of course a strong Union man—and General Halleck,²¹ com-

19. History of Missouri, Carr, p. 158.

20. History of Missouri, Carr, p. 259.

21. General Halleck when he learned that the “jayhawking” leader, Lane, had been promoted to the command of a brigade, declared that such an appointment was “offering a premium for rascality and robbing generally;” and that it would “take twenty thousand men to counteract its effect in the state.” History of Missouri, Carr, p. 348.

mander-in-chief of the western armies of the Union, were permitted to disgrace alike the Union cause and our human nature by their unspeakable atrocities. But they were retained in office, nevertheless. It was the outrages committed by these men and their commands, and the Kansas "Red Legs" that led to the equally savage reprisals on the people of Kansas. In revenge for what western Missouri had suffered, out-lawed Missourians sacked Lawrence, Kansas, a Union city, massacred one hundred and eighty-three of its inhabitants, and left it in flames. In justification of their act of savagery, they declared: "Jennison has laid waste our homes, and the 'Red Legs' have perpetrated unheard of crimes. Houses have been plundered and burned, defenseless men shot down, *and women outraged*. We are here for revenge—and we have got it."²² How nearly this language of the Missourians—and there can be no question that it describes what had been done in Missouri by Lane, Jennison, and their commands, and the Kansas "Red Legs"—²³follows the complaint justly made by the Latter-day Saints years before against the Missourians! But thank God, there is recorded against the Saints no such horrible deeds of reprisal.

The Western Missourians falsely charged that the Saints held illicit communication with the Indian tribes then assembled near the frontiers of the State, and pretended to an alarm that their State might be invaded by the savages, prompted thereto by "Mormon" fanaticism; but these same Missourians lived to see cause for real fear of such an invasion when the Governor of an adjoining State—Arkansas—authorized Brigadier General Albert Pike to raise two mounted regiments of Choctaw and Chickasaw Indians to actually invade the State. These regiments of savages were engaged in the battle of Pea Ridge, on the southwest borders of Missouri, General Pike, who led them in that battle, dressed himself in gaudy, savage costume, and wore a large plume on his head—*a la Niel Gilliam at Far West*—to please the Indians. It is also charged that before the battle of

22. Spring's "Kansas," p. 287.

23. These were bands of Kansas robbers, whose custom it was at intervals to dash into Missouri, seize horses and cattle—not omitting other and worse crimes on occasion—then to repair with their booty to Lawrence, where it was defiantly sold at auction." History of Missouri, Carr, p. 348.

Pea Ridge, he maddened his Indians with liquor "that they might allow the savage nature of their race to have unchecked development. In their fury they respected none of the usages of civilized warfare, but scalped the helpless wounded, and committed atrocities too horrible to mention." The "fear" expressed by the Missourians respecting the alleged illicit communication of the Saints with the Indians was mere feigning, but with this example before them, and knowing that there were many thousands of Indians on their frontiers that might be similarly induced to take up arms, their former feigned fears became real ones.

The Missourians instead of demanding the execution of the law in support of the liberties of the Saints, expressed the fear that the presence of the Saints would give rise to "Civil War," in which none could be neutrals, since their homes must be the theatre on which it would be fought, so they drove the Saints away; but the Missourians lived to see the outbreak of a Civil War in their State that was one of the most appalling men ever witnessed; and Missouri, when all things are considered, and especially Western Missouri, suffered more than any other State of the Union. In other states the war lasted at most but four years; but counting her western border warfare in the struggle for Kansas, the war was waged in Western Missouri from 1855 to 1865, ten years; and for many years after the close of the Civil War, a guerrilla warfare was intermittently carried on by bands of outlaws harbored in Western Missouri—especially in Jackson, Ray, Caldwell and Clay counties—that terrorized the community and shocked the world by the daring and atrocity of their crimes—including bank robberies in open day, express train wrecking and robberies, and murders. Not until 1881 was this effectually stopped by the betrayal and murder of the outlaw chief of these bands.

Missouri sent into the Union Armies one hundred and nine thousand of her sons, including eight thousand negroes. About thirty thousand enlisted in the confederate army. According to official reports the percentage of troops to population in the western states and territories was 13.6 per cent., and in the New England states 12 per cent.; whilst in Missouri, if there be added to her quota sent to the northern army the thirty thousand sent

to the confederate army, her percentage was fourteen per cent., or sixty per cent. of those who were subject to military duty. Of the deaths among these enlisted men, only approximate estimates may be made, since of the mortality among the Confederates no official records were kept. But of those who entered the Union service thirteen thousand eight hundred and eighty-five deaths are officially reported. The rate of mortality in the Confederate forces, owing to the greater hardships they endured, and the lack of medical attendants to care for the wounded, was much higher, and is generally estimated at twelve thousand, (most of whom were from Western Missouri), which added to the deaths of those in the Union army would aggregate the loss among the troops from Missouri to twenty-five thousand eight hundred and eighty-five. "This estimate" says Lucian Carr, "does not cover those who were killed in the skirmishes that took place between the home guards and the guerrillas; nor does it include those who were not in either army, but who were shot down by the "bushwackers" and "bushwacking" Federal soldiers. Of these latter there is no record, though there were but few sections of the State in which such scenes were not more or less frequent. Assuming the deaths from these two sources to have been 1,200, and summing up the results, it will be found that the number of Missourians who were killed in the war and died from disease during their term of service amounted to not less than 27,000 men."

The loss in treasure was in full proportion to the loss in blood. The State expended \$7,000,000 in fitting out and maintaining her Union troops in the field. She lost \$40,000,000 in slave property; and four years after the close of the war—two of which, 1867-8, were remarkably prosperous—the taxable wealth of the State was \$46,000,000 less than it was in 1860. "In many portions of the State," says the historian to whom I am indebted for so many of the facts relating to Missouri in these pages, 'especially in the southern and western borders, whole counties had been devastated. The houses were burned, and the fences destroyed, and the farms laid waste. Much of the live stock of the State had disappeared; and everywhere, even in those sections that were comparatively quiet and peaceful, the quantity of land in culti

vation was much less than it had been at the outbreak of the war. Added to these sources of decline, and in some measure a cause of them, was the considerable emigration from the State which now took place, and particularly from those regions that lay in the pathway of the armies, or from those neighborhoods that were given over to the "bushwackers." The amount of loss from these different sources cannot be accurately gauged, but some idea may be formed of it, and of the unsettled condition of affairs, from the fact that only 41 out of the 113 counties in the State receipted for the tax books for 1861; and in these counties, only \$250,000 out of the \$600,000 charged against them were collected."

This only in a general way indicates the losses in property sustained by the State during the period under consideration, but it assists one to understand somewhat the enormity of those losses.

It is true, of course, that in any event Missouri must have participated in the war between the States; and situated as she was, and her people divided in their sympathies between the North and the South would suffer beyond other States. But what immeasurably added to her suffering, and especially to the suffering of western Missouri, was the spirit of lawlessness, rapine, murder and mobocracy engendered in the minds of the inhabitants of that section of the State, by their treatment of the Latter-day Saints, and the course the State pursued with reference to them.²⁴

24. On this point the late George Q. Cannon remarked in his "Life of Joseph the Prophet."

"Poor Missouri atoned with rivers of blood and tears for her sin against herself in permitting the executive to usurp unlawful authority. The precedent of Bogg's exercise of power was handed down. In the day of the persecution of the Saints, a court had decided that belief in the Bible was treason against the government. The idea had moved with terrible momentum; for there we find in 1861, that, "even verbal opposition to the governor's assumption of authority was constituted treason."

"It is true that with any kind of a population Missouri must have taken part either for or against the Union; but it is also true that the existence within her boundaries of thousands of lawless wretches who loved plunder and rapine, largely increased her sufferings. The entire state was punished for permitting the massacre of the Saints to go unchecked and for encouraging the spirit of plunder by rewarding the mobocrats with money from the state treasury. Men learned to live by murder and rapine. It cost Missouri dearly to get rid of the evil, but happily for her much of the bad element was eliminated. Many of the old mobocrats suffered all the tortures which they had inflicted.

It is in no spirit of gloating exultation that the foregoing facts in Missouri's history are referred to here. It gives no gratification to the writer to recount the woes of Missouri, and his hope is that it will give none to the reader. These facts of history are set down only because they are valuable for the lesson they teach. It may be that visible retribution does not always follow in the wake of state or national wrong-doing; but it is well that it should sometimes do so, lest men should come to think that Eternal Justice sleeps, or that she may be thwarted, or, what would be worst of all, that she does not exist. I say it is well, therefore, that sometimes visible retribution should follow state and national as well as individual transgressions, that the truth of the great principle that "as men sow, so shall they reap," may be vindicated. Missouri in her treatment of the Latter-day Saints during the years 1833-9, sowed the wind; in the disastrous events which overtook her during the years 1855-80 she reaped the whirlwind. Let us hope that in those events Justice was fully vindicated so far as the State of Missouri is concerned; and that the lessons of her sad experience may not be lost to the world.

"But Missouri largely purged herself of the vile element, and after the strife was ended better men and better sentiments came into the ascendency. Some of the men who had been averse to mobocratic violence against the Latterday Saints believed that retribution would come. They lived to see the day of atonement and to participate in a local reconstruction and a restoration of better things."

(To be continued.)

HERALDIC CONSIDERATIONS

GENERAL EUROPEAN NOBILITY AND ITS HERALDRY

BY THE VISCOUNT DE FRONSAC

THE dream of Heraldry is the pomp of Power. Co-extensive with the definite rank and feudal function of the Aryan-Goths in Europe has been the definiteness of their feudal Heraldic Art.

In glancing with comprehensive mein over the early history of feudal Europe and the British Isles, it will be seen that the birth-place of every Royal House, now arrogating to itself either absolutely or in the name of the people, through a parliamentary ministry, prerogative and right to create a "nobility" and to govern without one, was in the ranks of the nobility itself as an humble member thereof. The Imperial Hapsburgs of Austria were counts in the XIII Century. The Royal Family of old France traces only to Hugh Capet, Count of Paris in the IX Century. The Plantagenets of England were feudatories of the Kings of France in the XI Century as Counts of Anjou; so were William and his father, the Dukes of Normandy. The Tudors in the XV Century were of the untitled Welsh nobility. The Romanoffs of Russia are lost in the XII Century among the knightly burghers of Germany. The Stuart of Scotland owed their name to the appointment of their ancestor, Sir Robert Fitz-Alan—a Norman Knight—to the office of Lord-High Steward of Scotland after the reign of David Bruce. The Bruce themselves were among the Franco-Norman nobility that came over with William, the Conqueror. The Guelphs of Hanover, before coming to the British Throne, were of less actual importance than the Douglasses, Hamiltons, Percies, Nevilles and Mowbrays of an earlier day. Every one of these sovereign families were of the nobility of their respective countries at

the beginning of their national careers. In reality they were only either the presidents, or secretaries of their aristocratic colleagues.

In Spain—to show their equality with the sovereign, the Grandees wear the hat in the sovereign's presence—and why not? Whence derive the sovereign his might, majesty, prerogative and dominion but from the bucklers, the shields of the nobles on which his predecessors had been elevated to illustrate on what basis they stood?

The only superior in rank that these sovereign families had was the Germanic Emperor of the Romans. When the early Roman Emperors ceased to have military power, during the Middle Ages, these families became sovereign and independent on the lands which they had held of the Empire by military tenure.

After becoming independent, they met together, as in France, to choose a leader. In this manner was Hugh Capet, Count of Paris, chosen King by the free-barons of France in the IX Century. But he never dreamed of exercising any other authority than that of chief-of-staff of these his Peers. He could not deprive one of them of his domain, because their ancestors had held that domain of the Gothic Empire whose military power had passed to them in the feudal system of that Empire.

This land of the nobles, because belonging to them under the feudal system was administered according to the law of the nobility and was therefore deemed noble. But this system did not arise either in Germany (where land had been divided periodically), or in the old Roman Empire (where land was administered according to the principles of the Civil Code. The system arose under the Franco-Gothic Empire that was superposed over the remains of the old Roman Empire, where the duty of the Antrustian, or Frankish noble, in possessing land, was in confederating his power to that of the Emperor, and the duty of the Emperor in this confederation regarded as sacred as his own, the sovereign prerogative in their domains of these nobles thus confederated in the Empire, and the hereditary components of its council. Any falsification of these ob-

ligations was not only a relief from the fealty implied, but a derogation of honor on the part of the falsifier.

Heraldry itself, in its chief office, demanded the fulfillment of these obligation as its first necessity. The shield of him who had proven his loss of inherent honor in this sense, was reversed and his nobility, in its political consideration ceased with this proof of its moral loss and derogation.

After it became complete in Europe, Heraldry conformed in every particular to the social and political divisions of the ancient world. As the symbolic circle gave birth to the ring and crown-emblems of the unity and continuity of power—; as each of the degrees of rank gave an Ordinary to Heraldry, so did the classes of the state add their distinction. When Heraldry came into being with the Franks, because they held the military command of the Empire, the military profession formed the first rank. “Ennoblement by the possession of fiefs alone was regarded as an usurpation * * * while the military profession continued to be privileged up to the commencement of the XVII Century—even for those who did not possess feudal domain.”—D. Avenel, “*La Noblesse Sous Richelieu*,” p. 8.

Again it must be understood, that the king himself, as he could not confer nobility, could not confer Heraldry which was the symbolization of nobility. The Aryan Franks, who were the nobles, united their estates to form the kingdom and to reconstitute the Empire. They conceded the power of general government to him whom they chose as chief executor, king or Emperor. They reserved for themselves the absolute sovereignty of their own estates, on whose autonomous sovereignty the general constitution was erected. It is a fundamental principle of juridical ethics that a derivative sovereignty can claim no constitutional prerogative to destroy the fundamental and constitutive sovereignties from whose act alone it derives its own legitimacy.

“It was a declaration of legal weight in the XVI Century that our princes are made neither by the Church nor by the people, but by the Noblesse alone, of whom they are but the first gentlemen.”—D. Avenel, “*La Noblesse Française Sous Richelieu*,” p. 13.

As has been said, this nobility had the military profession for its function in the state—even when not possessed of feudal lands. “The nobility served in the army in a great majority but not without exception, yet all without exception were exempt from poll-tax. If they were excused from this tax, it was not because they served in the army but because they were nobles.” “The privilege was not for service rendered, but was a birth-right.” —D. Avenel, “*La Noblesse Française Sous Richelieu*,” p. 23.

Again to show that noblesse-de-race was the predominating feature, the Ordonnance of 1629 enjoins on gentlemen to sign the NAME OF THEIR FAMILIES AND NOT THAT OF THEIR SEIGNEURIES.

It is true that a “gentleman lost his title in selling his barony, but he could not alienate his nobility.”—D Avenel, *ibid*, p. 96.

It was absolutely necessary to keep the race pure in order to maintain its supremacy and its prerogative. The law against intermarriage with inferior races, or classes, in the state was very severe. It declares that —“A noble woman married to a non-noble ceased to enjoy, even in her own person the privileges of noblesse.”—D. Avenel, *ibid*, p. 114.

In the course of time, however, as intermarriages between court-lawyers, scribes grown rich by much recording, and servants of the king, who knew the secret entrance to the Royal preserves, with the daughters of needy nobles, a test of blood was invented which consisted in showing proof of sixteen ancestors, each of which was from an armiger, or one entitled to bear the shield of noblesse-de-race. This constituted the sixteen quarterings, the possession of which was considered proof of inherant nobility. Who ever had 32 quarterings received extraordinary honors in Germany.

Thus Heraldry demonstrated another of its functions—that of showing purity of blood in the families of its possessors. When they lost this purity of blood by non-heraldic ancestry, they ceased to be noble; they could not claim exclusive right of representation in the council of the state. In France up to the time of the Revolution in 1792, the poorest noble had right of representing the noblesse in the States-General of the king-

dom, whereas a separate corps, the noblesse exercised the greatest power in the state when in convention.

In ancient Flanders the law of nobility declared, that if a noble married the daughter of a plebian, the children of that marriage should not inherit their father's nobility.

While if the daughter of nobility married the son of a peasant the children of that marriage followed their father's condition. The struggle of the Aryan Goths and Franks to maintain the purity of their blood, which constituted the nobility of their race, was continued along these lines, viz.:—I, the absolute control of their Heraldry; II, the control of the Council of the Empire, of the kingdom, of the state, which was theirs by right of inheritance according to the constitution; III, the maintenance of the laws of *caste* against intermarriage with mongrel races; IV, the test of blood at a minimum of sixteen feudal quarterings; V, the preservation of their territorial domain and the laws of succession thereto.

But one by one, these their distinct and self-created rights in the state, which state owed its very beginning to the valor and integrity of their race, were curtailed and effaced.

The king, in the desire of forming a party stronger than the noblesse, of which he was but the chief, gave armorials to his household servants contrary to the sacred oath and absolutely illegal, since blasonry was for the noblesse alone—the king's servants were not noble, and the king's act could only make them *annobli*. These *annobli* he admitted to the council; on them he conferred land in noble tenure. But the class that they formed has never been considered a part of the noblesse, except in England. There is a great distinction and a wide gulf fixed by race-currents between the noblesse and the *annobli*. Among these differences fixed were, among others, the manner of titles. The titles of the noblesse were prescriptive, belonging to race alone and were of feudal origin. The titles of the *annobli* were adventitious and affixed for authenticity by letters-patent of the king, or court. Another difference was that of bearing arms. After the illegal, or bestowed arms had, through possession of a term of years acquired a quasi legality, four divisions were made of all arms, viz.:—

I Arms of race-origin.

II Arms of assumption, or those which a noble took afterwards to show his claim to some title of territorial sovereignty.

III Arms of dominion, or those which are the sign manual of states, kingdoms and principalities. These arms are not the property of the family exercising the sovereignty, but of the sovereign state. The family-arms of the Stuart kings of Scotland are different from the arms of Scotland, so are the family-arms of the ruling house of England different from those of England, etc.

IV Arms of concession are those granted by some Royal Personage, or court, to individuals whom they wish to change—like as with the wand of a magician—to ennoble; or to a corporation, bishopric, etc.

These arms of concession gave birth to many innovations in the ancient Heraldry. Thus, the families of those who were appointed magistrates in the places of the ancient feudal seigneurs were admitted to bear arms.

The book, the Mitre, the Key and the Lawn-sleeve were objects of this heraldry.

The Book speaks for itself; it was appropriate to institutions of learning and placed in the arms of colleges.

The Key is a sacred emblem, for the unlocking of mysteries; it is seen in the arms of Bishoprics.

The Lawn-sleeve occurs in the arms of many families derived from the legal profession.

The Mitre is used at the top of the bishop's shield. It resembles the head of the crocodile with the jaws open and pointed upward. It must be understood that the great land for symbolization was Egypt, the land of the Pyramids and of the Sphinx. There, the crocodile was worshiped because he is tongueless—not an inappropriate emblem to be attached to a bishop's mitre! But it was also supposed that the crocodile represented the Deity, for the Deity is speechless concerning those mysteries of the beginning of the World, the ending thereof and the life of man. The crocodile was therefore a sacred emblem and his head, with open jaws, to show his tongueless mouth, was particularly venerated.

Apart from these objects entering the heraldry of the clerical class was a back-ground of furs. The civil magistrate trimmed his robe with ermine.

The furs are of eight kinds, I Ermine, II vair, III counter-vair, IV Ermines, V. Erminois, VI Vair-potent, VII Vair-potent-counterpotent and VIII Pean.

These furs are represented spread out, the Vair and Vair-potent in regular order; the Counter-vair and Vair-potent-coenter-potent in reverse order.

Why it is that fur is employed as the badge of civil and religious magistracy may be known from the study of natural symbolization. The possession of the skin of certain animals was supposed to confer the chief attribute of those animals. Most of the pagan priests wore the serpent skin. Others, the skin of the fox. Besides the skin, or fur, was the only adornment remaining to the clerics and sacerdotal class outside the plain clothes of primitive manufacture, because the adornment of arms was the property of the military aristocracy.

It is curious to observe how tenaciously symbols of distinction have continued to run with the blood of the originating race in spite of all hostilities, of changes in the form of society and constitution of government.

In the early days of the Franks, they alone could bear the shield of honor, wear the hair long and take part in the council of their kings.

When the confusion of races admitted those to bear the shield who before were excluded, the noblesse *par excellence* entrenched itself behind genealogical proof and built up landed possession with prerogative of magistracy in its territory.

When those who did not bear the genealogical, physical and mental evidences of noblesse came to be possessed of landed holdings with right of magistracy, then the noblesse demanded certain function to be set aside for those capable of showing sixteen quarterings from noble progenitors.

When these functions in their turn were invaded by those without the required purity of blood and blasonry, orders, or associations, began to spring up, reflecting the primitive con-

federation of the Francs of the Middle-Ages. On the failure of the material wealth of a family, and with the consequent loss of its influence at court, membership in one of these orders served to strengthen it.

It was the custom of the members to wear on the left breast the decoration, or arms, of the order. They attached, in many cases this decoration to the family arms to show the union to which they belonged and of whose strength they constituted a part.

The Order is the most approved organization for securing protection and unity, after the feudality and wealth of its families have failed them.

The Order of Chivalry was the most perfect and the most powerful of all, because it was founded by the noblesse and governed especially by its members, in whose concern no king or parliament had any voice whatever. With its dominance, was the imposition of social ethics and the opposition of disciplined power against the encroachment of court-servants on the one hand, and the ignoble and honorless demagogues of democracy on the other two offspring of the same parentage; the democracy especially, evil-minded, discourteous, dishonest and rampant in those qualities that distinguish and set apart the lowest of mankind. It is this barrier between merit and pretention, honor and hyprerisy, continuity of ancestral belongings and mongrelization of types that Chivalry, and subsequent similar orders were instituted to maintain. The first sytem of nobility was the Aryan and Seignourial Order of the Empire first established by the Francs in their confederacy, on the land which they had conquered from the Romans, in Gaul and which gave to their posterity a prescriptive right to continue this Order wherever their descendants might come together with the proper heraldic and feudal proofs of right inherent themselves for continuance.

(To be continued.)

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HISTORIC VIEWS AND REVIEWS

THE STORY OF THE NEGRO PLOT

ONE of the interesting documents recently sold at Merwin-Clayton's was a two-page folio signed by Daniel Horsmanden, who figured so prominently in the so-called negro plot in New York, in 1741, when one-fifth of the city's population of 10,000 persons were negro slaves.

A trifling robbery in March, 1741, was traced to some negroes, and nine small fires occurring soon afterward in different parts of the city, the public mind became greatly alarmed and numerous arrests followed. Large rewards were offered for the arrest and conviction of the guilty. An indentured servant, named Mary Burton, obtained her liberty and a reward of \$500 by pretending to give information of a plot formed by her master and a low tavern keeper with the negroes to burn the city and murder the white people.

This story was corroborated by a woman convicted of a robbery. Other informers appeared, and many arrests were made. Among the victims were John Ury, a schoolmaster and reputed Roman Catholic priest, who, notwithstanding his protestations of innocence, was hanged. Between May 11 and August 22, 154 negroes were arrested, of whom 14 were burned at the stake, 18 were hanged, and 71 were transported. During the same period 24 white persons were arrested, of whom 4 were hanged. Then the Burton woman began accusing prominent persons, known to be innocent, and the panic and reign of terror came to an end.

Horsmanden, as a magistrate, had much to do with the injustice committed, and was so severely criticised that he wrote a "History of the Negro Plot" in an effort to justify his acts.

FRANKLIN TABLETS UNVEILED

Two bronze tablets to the memory of Benjamin Franklin and his wife, Deborah Franklin, were unveiled, on October 29,
(1193)

with simple ceremonies, at the old burial ground in Philadelphia in which their graves are located. The tablets were placed at the gateway to the old Quaker cemetery, at Fifth and Arch street, now the center of the business district.

IN HONOR OF THE POLLY

A tablet commemorating the services of the schooner "Polly" for the United States during the War of 1812, was unveiled on board the boat on November 2.

The tablet is the gift of the National Society of the Daughters of 1812, several of whom gathered to pay the honor long due the little former sea-fighter.

The Polly is now the oldest vessel afloat of American register, and, despite her size, for she is only 60 feet in length, was a formidable foe during the privateer days. Her old war log chronicles the capture of 11 prizes, a record equalled by few of the other privateers.

Commanded by her new owner, Capt. J. H. Weldon, the Polly, notwithstanding her age, is engaged in the coastwise trade, and was brought to this port for the ceremony. Boston is her home port.

An interesting spectator was Capt. George W. Homans, of Brooklyn, whose uncle, Jonathan Homans, was killed in an engagement aboard the Polly. There was also present Mrs. L. Montgomery Bond, of Mount Vernon, N. Y. Her grandfather, John Bainbridge Packette, commanded a sister sloop to the Polly, and was killed in the war of 1812.

The Polly was built in Amesbury, Mass., in 1805, and is 61 feet over all. She became a privateer in the war of 1812 and was owned and commanded by Capt. Judthan Upton, a noted seaman of his day. His ancestors were American revolutionists. He fitted out the Polly with two "Long Toms," which were trained over her stern and bow. Her crew of 20 men were armed with pistols and cutlasses.

He sailed from Salem harbor on December 7, 1812, and two days later captured his first prize, a British full-rigged ship. He captured altogether 11 craft of the enemy. The Polly was finally captured by the British frigate Phoebe. When the case

of the Polly was tried before the British High Admiralty Court, Capt. Upton proved that he bought the cargo he carried when captured from Havana, and that the goods had been entered at the Custom House at Marblehead. The court restored the cargo to the neutral claimants. After the war the Polly entered commercial life under the American flag.

TOTTENVILLE RECOVERS ITS NAME

For the second time in history, and, beyond all reasonable doubt, now for all time, Tottenville, Staten Island, is named "Tottenville," having been twice in the course of some 300 years known as Bentley Manor. The latest controversy centred about the famous old Billop mansion, an historic stone pile erected in 1668 by Christopher Billop. Billop called the grant given him by the king, "Bentley Manor," and Bentley Manor the town remained until after the Revolutionary War, when the property which had been taken from the family, because of their Tory sympathies, was renamed Tottenville, in honor of Joseph Totten, one of the patriots of Staten Island.

About a year ago, certain residents of the town, believing that "Bentley Manor" had a more modish sound and would better facilitate real estate development, had the old name restored. To this many of the old residents objected so seriously that they declined to admit defeat. Instead, they organized their forces, framed a counter-petition to the Postmaster-General, and so thoroughly aroused the historic sentiment of the people that they finally succeeded in having the former order revoked and the name Tottenville replaced.

LUNDY'S LANE'S DEAD REINTERRED

The remains of nine unknown American soldiers were uncovered a short time ago during excavations for the base of a monument in Drummond Hill Cemetery, which forms a large part of the battlefield of Lundy's Lane, near Drummondville, Ontario. The soldiers were killed at the battle of Lundy's Lane, on July 25, 1814. Their remains were taken charge of by the Lundy's Lane Historical Society, and placed temporarily in the

vault of the battle monument near the entrance to the cemetery.

By arrangement with the Frontier Landmarks Association of Buffalo they were reinterred by the side of Capt. A. F. Hull, Ninth United States Regiment of Infantry, and other members of that regiment.

Major Edwin P. Pendleton, Twenty-ninth United States Infantry, commandant at Fort Porter, near Buffalo, represented the War Department at the services and a number of officers from Fort Porter and Fort Niagara also were present.

Capt. Hull was appointed a captain in the Twenty-third Infantry on April 14, 1812, and then as a captain in the Ninth Infantry on July 6th, 1812. The Ninth Regiment was raised in Massachusetts, and though a part of the regular army was accredited to that State.

The battle of Lundy's Land was fought on July 25, 1814, between 5,000 American soldiers under Gen. Jacob Brown, and 3,000 British soldiers under Sir George Drummond. The latter occupied high ground on each side of Lundy's Lane, when he was attacked by the Americans. The fighting lasted far into the night, when a final assault was repulsed and the Americans retired to Chippewa with a loss of 858. The British lost 878.

THE MARCH FROM VALLEY FORGE

William S. Pelletreau, of the National Americana Society, supplies us with the following record of the march of the American Army from Valley Forge to White Plains. It is copied from a sergeant's orderly book now in possession of Mr. Walter Brewster, of Brewsters, Putnam County, N. Y. The record is as follows:—

Valley Forge, June 18, 1778. The whole army to march tomorrow morning.

June 19th—Dr. Shannons.

“ 20th—Burlingham.

“ 21st—Coryell's Ferry.

“ 23rd—Hart's House.

“ 25th—Kingston.

“ 26th—Cranberry.

- “ 29th—Freehold. Congratulated on victory Monmouth Court House.
- “ 30th—Englishtown.
- August 1st—Spotswood.
- “ 2nd—Brunswick.
- “ 3rd—Brunswick Landing.
- “ 4th—Raritan Landing.
- “ 7th—Scotch Plains.
- “ 8th—Springfield.
- “ 10th—Second River.
- “ 11th—Sloatstown.
- “ 12th—Paramus.
- “ 14th—Kakiat.
- “ 16th—King’s Ferry.
- “ 19th—To march to White Plains.
- “ 22nd—Wright’s Mills.
- “ 27th—White Plains.

NOTES

The British evacuated Philadelphia June 18th, and Washington immediately started six brigades on their march to the Jerseys and followed with the entire army on the 19th.

“Dr. Shannons” is now Shannonsville, in the town of Lower Providence, Montgomery Co., Pa.

“Burlingham” was “a cross roads hamlet about 10 miles from Coryell’s Ferry,” now Doylestown.

“Coryell’s Ferry” is now Lambertville, N. J. Here they crossed the Delaware River.

“Hart’s House” is at Hopewell, N. J.

“Kingston” is about six miles north or northeast of Princeton.

“Cranberry” is in Mercer Co., N. J., on the Camden and Amboy R. R.

“Freehold” is a well-known locality in Monmouth Co. The battle of Monmouth Court House was fought on Sunday, June 28, 1778.

“Englishtown” about five miles west of Monmouth Court

House, is still known by that name. Washington "left Englishtown July 1st and reached New Brunswick the following day. The army encamped on both sides of the Raritan River. This march was inconceivably distressing, about 20 miles through deep sand." (Letter of Washington).

"Brunswick landing and Raritan landing" both on the Raritan. "The army celebrated July 4th, on the Brunswick side of the Raritan."

"Scotch Plains" is in the town of Westfield, Union Co.

"Springfield" is in Union Co. about 10 miles west of Elizabeth.

"Second River" is north of Newark.

"Slotestown" is in the northern part of Passaic Co. near Aquackanonek.

"Paramus" is in Bergen Co., N. J., and is mentioned as "about 22 miles from King's Ferry." The army crossed the New York State line a little west of Passaic Creek.

"Kakiat" was the name of a very large land grant in Clarks-town and Ramapo. The place where the army camped is now New City in Rockland Co. The road from New City to King's Ferry was the present road through the long Clove to Havestraw, thence to West Havestraw where they struck the road to King's Ferry. This road runs directly in front of the house of Joshua Hett Smith (yet standing) which was the meeting place of Arnold and Andre.

"King's Ferry" is on the north side of Stony Point. Here they crossed to Ver Plancks Point. A letter of Washington is dated "Havestraw, July 17th."

"Wright' Mills" is now Kenisco, Westchester Co.

FORT NO. 1 TABLET

The unveiling of a tablet to commemorate Fort No. 1, erected during the American Revolution on Spuyten Duyvil, New York, occurred on Nov. 5th, under the auspices of the American Scenic and Historic Preservation Society at the home of Mr. William C. Muschenheim, whose house is built on the foundations of the old fort. The inscription on the tablet reads as follows: "The Foundation of this House is a Part of Fort Number One, which

was erected by the Continental Army in August, 1776; occupied by the British, November 7th, 1776; dismantled in 1779, and remained debated ground until the close of the American Revolution. One of a chain of eight forts, north and east of Spuyten Duyvil Creek and Harlem River, extending from this point to the site of New York University. Erected by William C. Muschenheim, "1910." The tablet was unveiled by the Misses Dorothy Radley, Hope Johnson, Helena Cox, and Jane McKelvey, and the general exercises were participated in by children from public schools Nos. 25 and 33, Borough of the Bronx, while the drum corps of the latter school rendered patriotic airs.

Mr. George F. Kunz, president of the American Scenic and Historic Preservation Society, presided at the exercises and addresses were made on the purpose and value of tablets commemorating historic events by Lieutenant Stephen Jenkins, U. S. N., Mr. Frank D. Wilsey, and various members of the Westchester County Historical Society. Spuyten Duyvil Hill has had an interesting connection with American history, it being from here, among other things, that the Indians attacked the Half Moon off Fort Washington Point on Oct. 2, 1609. During the Revolutionary War there were three forts on the hill, called Nos. 1, 2, and 3. Nos. 4, 5, 6, 7, and 8 were east of the Harlem River, and all of these were occupied at different times by American, British and Hessian troops. The marking of the site of Fort No. 1 is the beginning of a general plan to similarly commemorate the sites of all of these forts and the parts they played in the history of Manhattan Island.

OLD INDIAN BIBLE TO BE SOLD

Included in the valuable Everett library, sold at auction in Boston, on November 15, was a fine copy of the rare first edition of the famous Indian Bible of John Eliot. It is of this work that Cotton Mather, in his "Magnalia" or "Ecclesiastical History of New England," published in London in 1702, says:

"Behold, ye Americans, the greatest honor that ever you were partakers of—the Bible was printed here at our Cambridge, and

it is the only Bible that ever was printed in all America, from the foundation of the world. The whole translation he (Eliot) writ with but one pen; which pen, had it not been lost, would have certainly deserved a richer case than was bestowed upon that pen with which Holland writ his translation of Pluarch."

The work is a remarkable one, consisting of a translation of the whole Bible and the New Testament into the language of the Massachusetts Indians, accomplished by one man, known as the Apostle, John Eliot. It was a great task, taking many years to complete. It has been said that none but a religious enthusiast would ever have attempted the rendering of the Bible into a language which was never before written.

It was in 1660, when New England was still a wilderness, with a great Indian population, that the printing of this Bible was begun by Samuel Greene and Marmaduke Johnson of Cambridge. It was finished in September, 1663, thus occupying three years. The first edition consisted of 1,000 copies, of which, it is said, not more than about twenty-five copies are known to be preserved in the United States. Twenty copies were sent to England, in which there was a dedication to Charles II. The Indian title reads:

"Mamusse Wunneetupanatamwe up-Biblum God naneeswe Nukkone Testament Kah Wonk Wusku Testament," etc., or, in English, "The Holy Bible; containing the Old Testament and the New."

A second edition was called for and the whole work was reprinted at Cambridge by Samuel Greene in 1685. There was only one man, the Indian printer, who was able to compose the sheets and correct the proof.

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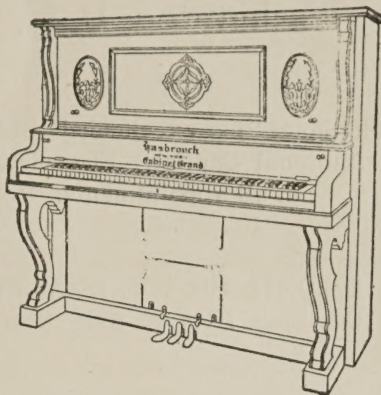
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